the 4.25-percent rate the Government has to pay to borrow the money it lends to REA. REA has gone far beyond its original purpose of bringing electricity to isolated rural areas. It is now a giant subsidized monopoly which threatens the operation of private power companies. Legislation introduced would make interest rates to REA more realistic.

The value of the dollar is now down to 44.8 cents in spite of the fact the administration insists there is no inflation. There has been a steady decline since the advent of the New Frontier and the Great Society. The dollar was worth 46.9 cents in 1960, 46.4 in 1961, 45.9 in 1962, 45.4 in 1963, and 44.8 in 1964. Evidently the Great Society will be achieved when the dollar is worth nothing and all of the people are poverty stricken.

What are our young people being taught in high school and college? National surveys of high school and college juniors reveal: 71 percent would deny an accused person the right to confront his accuser, 40 percent believed certain groups should be denied the right of peaceful assembly, 41 percent believed that we should cancel freedom of the press, 34 percent favored denying free speech to certain people, 26 percent would allow search and seizure without consent, 53 percent voted for Government ownership of banks, railroads, and steel companies; 56 percent voted for close Government regulation of all business, 62 percent said that the Government has the responsibility to provide jobs, 62 percent thought a worker should not produce all he can, 61 percent rejected the profit incentive as necessary to the survival of a free enterprise system, 84 percent denied that patriotism is vital and plays an important part in our lives. These surveys were conducted by Northwestern University, Purdue University, and U.S. News & World Report. The results emphasize the real educational challenge we face in America.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 3, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my newsletter to the people of the Seventh District of Alabama for February 25, 1965:

WASHINGTON REPORT—FISCAL RESPONSIBILITY A MUST NOW

(By Congressman JIM MARTIN)

As many people contemplate the expected rewards in the dreams created by the glowing promises of the Great Society, too many overlook the growing crisis which threatens the whole structure of our economy. Reckless Federal spending and totally irresponsible fiscal policies are constantly reducing the value of the dollar, causing a continued drain on our gold supply, and could result in chaos.

I am not trying to be an alarmist, but I did attempt to arouse interest in a return to fiscal sanity in remarks I put into the CONGRESSIONAL RECORD. In the 4 years since the inauguration of a Democrat administration we have traversed the "New Frontier" and embarked upon the "Great Society"—a promisory golden age of Pericles—with deficit spending, mounting debt, dwindling gold and persistent unemployment marking every step of the way. Central authoritarian government has made sure that Federal contamination has insidiously or ruthlessly intruded into our State and local governments, our businesses, our homes, our daily lives. We have tried to spend ourselves rich, smart and secure, but all we have really done is undermine our basic structure of government, weaken our free enterprise system and impair our citizenship vis-a-vis the Federal bureaucracy.

Since January 1961 the Federal spending level has increased by 25 percent from $80 to $100 billion; we have sizable deficits in each intervening year—our last balanced budget was in 1960; we have added $30 billion to the public debt; we have had a deficit every year in our balance-of-payments position; our gold supply has been reduced to its lowest level in decades. We are cutting our defense spending in the face of an alarming deterioration in world political conditions while we spend more for so-called welfare purposes.

Now is the time for perceptive, forthright action to put our fiscal house in order. It is foolhardy and irresponsible to think that this impending crisis will disappear if we ignore it; it will be ruinous if we think that we can sweep it under the rug and go on our merry spending way. We must immediately adopt disciplined monetary policies that clearly demonstrate our firm resolve to protect the purchasing power of the dollar. Our fiscal policies must again reflect a determination to live within our means. Our economy must be kept competitive and free to operate without this stifling influence of Federal domination. If we will do these things, then, and only then, will we be able to achieve a great society that is something more than political hokum.

BRIEFS OF THE WEEK

Before the President tries to discourage travel abroad by American citizens by imposing a $100 tax in order to ease the drain on our gold supply, perhaps he should look into the millions we are making in illegal payments abroad. About $200 million a year is flowing abroad to veterans and beneficiaries of social security who are not citizens of the United States. Some $75 million worth of VA checks go to foreign countries. About 150,000 beneficiaries of social security payments live abroad, of which 60 percent are not U.S. citizens. We are paying social security to 3,096 noncitizens in West Germany, 7,094 noncitizens in Greece, 1,197 noncitizens in Ireland, 215 noncitizens in Israel, 20,093 noncitizens in Italy, 3,695 noncitizens in Japan, and 314 in the Netherlands. We are even sending payments behind the Iron Curtain to Yugoslavia. In addition people are receiving U.S. payments who live in Austria, Bolivia, Brazil, Chile, the Congo, Costa Rica, Ecuador, the Ivory Coast, Luxembourg, Monaco, Panama, the Philippines, Turkey, the United Kingdom, and Upper Volta.

By a vote of 288 to 92 the House passed H.R. 45 to authorize the United States to participate in an increase in the resources of the Fund for Special Operation of the International American Development Bank. The bill carried an authorization of $750 million. I voted against the measure because it was brought out in debate it will further jeopardize our balance of payments problem.

The House voted 302 to 63 to extend the life of the Disarmament Control Agency for 3 years with appropriations of $40 million. I voted against the extension. At a time when our enemies are arming to the teeth, American boys are dying in Vietnam and our world position is deteriorating, it borders on stupidity to spend millions of dollars on disarmament programs. We can do much better by enunciating a strong foreign policy which will convince the Communists they cannot achieve their goal of world domination. When we convince them that we are not weak and will do whatever is necessary to protect our Nation and the free world, that will be the time to talk about disarmament.

Those interested in obtaining reprints from the CONGRESSIONAL RECORD of my speech in the House of Representatives on Selma, please write me at 1515 Longworth Building, Washington, D.C.

SENATE

TUESDAY, SEPTEMBER 7, 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:

Our Father God, with the deep desire that all our deliberations on this high hill of the Nation's life should be begun, continued, and ended in Thee, we would enter this forum of the people's hope through the gateway of prayer.

Here may our faulty perspectives be corrected by vast horizons. Here may mistaken magnitudes be lost in the long sweep of Thine eternal purpose, as our thoughts and hopes are lifted above the strident distresses of our immediate time.

We pray that Thou wilt lead our leaders, and teach our teachers, and strengthen our people, for all the trying tests that are upon us. Make strong the arm of our might—material and moral—to beat down, even at staggering costs, the cruel iniquity that today tortures those who ask for but freedom, and which twists truth by crooked sophistries.

Above all other ambitions may our hearts be captured by a ruling passion to find a way of global concord in the flaming dawn of a warless world.

We ask it in the name of the Prince of Peace. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 2, 1965, and Friday, September 3, 1965, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

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

H.R. 4845. An act to provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of auto-

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

matic data processing equipment by Federal departments and agencies; and

H.R. 8989. An act to promote health and safety in metal and nonmetallic mineral industries, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 4845. An act to provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies; to the Committee on Government Operations.

H.R. 8989. An act to promote health and safety in metal and nonmetallic mineral industries, and for other purposes; to the Committee on Labor and Public Welfare.

HIGHER EDUCATION ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Higher Education Act of 1965 (H.R. 9567), passed by the Senate last Thursday, be printed as passed.

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business to consider nominations on the Executive Calendar, beginning with the Export-Import Bank of Washington.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

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

EXPORT-IMPORT BANK OF WASHINGTON

The Chief Clerk read the nomination of Hobart Taylor, Jr., of Michigan, to be a member of the Board of Directors of the Export-Import Bank of Washington.

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

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The Chief Clerk read the nomination of Ralph K. Huitt, of Wisconsin, to be an Assistant Secretary of Health, Education, and Welfare.

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

U.S. NAVY

The Chief Clerk read the nomination of Rear Adm. Alexander C. Husband, Civil Engineer Corps, U.S. Navy, to be Chief of the Bureau of Yards and Docks in the Department of the Navy.

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

U.S. ARMY

The Chief Clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations in the Department of Justice be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations on the Secretary's desk are considered and confirmed en bloc.

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

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

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

CALL OF CERTAIN MEASURES ON THE CALENDAR

Mr. MANSFIELD. Mr. President, before the Senate proceeds to the consideration of morning business, I ask unanimous consent for the consideration of certain measures on the calendar to which there is no objection.

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

MEASUREMENT OF GROSS AND NET TONNAGES FOR CERTAIN VESSELS HAVING TWO OR MORE DECKS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 657, S. 906.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 906) to provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill 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 as used in this Act:

(a) The term "uppermost complete deck" means the uppermost complete deck of a vessel exposed to sea and weather, which shall be deemed to be that deck which has permanent means of closing all openings in the weather portions thereof, provided that any opening in the side of the vessel below that deck, other than an opening abaft a transverse watertight bulkhead placed aft of the rudder stock, is fitted with permanent means of watertight closing.

(b) The term "second deck" means the deck next below the uppermost complete deck which is continuous in a fore-and-aft direction at least between peak bulkheads, is continuous athwartships, is fitted as an integral and permanent part of the vessel's structure, and has proper covers to all main hatchways. Interruptions in way of propelling machinery, space openings, ladder and stairway openings, trunks, chain lockers, cofferdams, or steps not exceeding a total height of forty-eight inches shall not be deemed to break the continuity of the deck.

(c) The term "trunks" as used in the definition of second deck shall be deemed to refer to hatch or ventilation trunks which do not extend longitudinally completely between main transverse bulkheads.

(d) The term "Secretary" means the Secretary of the Treasury.

SEC. 2. In the measurement of a vessel under sections 4148, 4151, and 4153 of the Revised Statutes, as amended (46 U.S.C. 71, 75, 77), upon application of the owner and approval by the Secretary, there shall be omitted from inclusion in the gross tonnage—

(a) those spaces available for the carriage of dry cargo or stores which are located between the uppermost complete deck and the second deck, and other spaces so located which would be omitted from gross tonnage under the provisions of section 4153 if above the upper deck, provided that a tonnage mark is placed and displayed on the vessel in accordance with the provisions of this Act, so long as that tonnage mark is not submerged;

(b) those spaces which are located on or above the uppermost complete deck and which are available for the carriage of dry cargo or stores, without regard to whether a tonnage mark is placed or displayed on the vessel or, if placed or displayed, without regard to whether that mark is submerged; and

(c) those spaces which are located on the uppermost complete deck and which are used for cabins or staterooms, provided that a tonnage mark is placed and displayed on the vessel, so long as that tonnage mark is not submerged.

SEC. 3. The tonnage mark shall be a horizontal line, upon which shall be placed for identification an inverted equilateral triangle, with its apex on the midpoint of the line. The mark shall be placed and displayed on each side of the vessel, subject to such specifications as to location and dimensions as are prescribed in regulations issued under this Act.

SEC. 4. No tonnage mark shall be required to be placed or displayed above the statutory summer loadline prescribed in accordance

with the applicable loadline convention, except that, when a vessel's statutory loadline is assigned on the assumption that the second deck is the freeboard deck, the tonnage mark may be permitted to be placed and displayed on a line level with the uppermost part of the loadline grid.

SEC. 5. Except when the tonnage mark is placed and displayed on the vessel at the level prescribed in section 4 hereof, an additional line may be added to the tonnage mark, subject to such specifications as to location and dimensions as are prescribed in regulations issued under this Act.

SEC. 6. The tonnage mark shall be deemed to be submerged when the upper edge of the mark is under water, except that if the vessel is marked with the additional line in accordance with section 5 of this Act and is in fresh water or in tropical waters the tonnage mark shall not be deemed to be submerged unless the upper edge of the additional line is under water.

SEC. 7. In a case in which a vessel measured under this Act and other applicable statutes has a tonnage mark placed and displayed at a place other than a line level with the uppermost part of the loadline grid, any measurement certificate or marine document reciting tonnages issued to such vessel shall show the gross and net tonnages applicable when the tonnage mark is submerged and the gross and net tonnages applicable when the mark is not submerged. In any other case in which a vessel is measured under this Act and other applicable statutes, any measurement certificate or marine document reciting tonnages issued to such vessel shall show only one set of gross and net tonnages, taking into account all applicable omissions or exemptions.

SEC. 8. In a case in which an application for omission of spaces is filed under section 2 of this Act for a vessel for which a statutory loadline is not required and is not assigned, the line of the uppermost complete deck shall be marked in the manner specified for marking the deck line in the international loadline convention in force.

SEC. 9. Section 4149 of the Revised Statutes (46 U.S.C. 72) is amended to read as follows:

"SEC. 4149. The Secretary of the Treasury shall prescribe how evidence of admeasurement shall be given."

SEC. 10. Section 4150 of the Revised Statutes (46 U.S.C. 74) is amended to read as follows:

"SEC. 4150. A vessel's marine document shall specify such identifying dimensions, measured in such manner, as the Secretary of the Treasury may prescribe."

SEC. 11. Section 4153 of the Revised Statutes (46 U.S.C. 77) is amended by inserting before the first paragraph the following:

"The tonnage deck, in vessels having three or more decks to the hull, shall be the second deck from below; in all other cases the upper deck of the hull is to be the tonnage deck. All measurements are to be taken in feet and decimal fractions of feet."

SEC. 12. The Secretary shall make such regulations as may be necessary to carry out the provisions of this Act.

SEC. 13. Any person who makes a false, fictitious, or fraudulent statement or representation in any matter in which such statement or representation is required to be made to the Secretary in any regulation issued under this Act shall be subject to a penalty of not more than $1,000 for each such statement or representation.

SEC. 14. If any tonnage mark required to be placed and displayed on a vessel in any regulation issued under this Act by the Secretary is not so placed or displayed or if the mark at any time shall cease to be continued on the vessel, such vessel shall be subject to a penalty of $30 on every subsequent arrival in a port of the United States.

SEC. 15. Any penalty incurred under this Act may be remitted or mitigated by the Secretary under the provisions of section 5294 of the Revised Statutes, as amended (46 U.S.C. 7).

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 674), 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

This legislation will implement recent recommendations made by the Maritime Safety Committee of the Intergovernmental Maritime Consultative Organization (IMCO) regarding the tonnage measurement of vessels having two or more decks.

BACKGROUND OF LEGISLATION

This bill, S. 906, was introduced at the request of the Secretary of the Treasury. A hearing was held on the bill on August 6, 1965. At the hearing the legislation was supported by the Treasury Department, the American Merchant Marine Institute, and the Pacific American Steamship Association. In addition, the committee has received a letter from the American Bureau of Shipping supporting the bill. No opposition has been expressed from any source.

GENERAL STATEMENT

The need for this legislation arises from the fact that tonnage serves as a basis for many tolls, taxes, insurance premiums, and port charges and therefore is an important factor in vessel operating costs. "Tonnage," it should be noted, is not a measure of the weight of a vessel or the cargo it can carry, but rather is the measure of the volume of the space in a vessel which is available for the carriage of cargo. It is advantageous, generally, for the shipowner to have his vessel assigned the lowest possible register tonnage while maintaining the greatest possible carrying capacity. This economic consideration has led to the development of the shelter-deck vessel. This type of vessel is one that is fitted with openings in the space in the 'tween-deck areas which is regarded as open and exempt from inclusion in computing gross and net tonnage.

The International Conference on Safety of Life at Sea, held in London in 1960, recognized a safety hazard inherent in the use of tonnage openings for the purpose of reducing tonnage. Acknowledging this problem, IMCO has recommended that member countries, including the United States, revise their tonnage regulations accordingly. The bill has been drafted to follow the IMCO recommendations. The implementation of these recommendations will promote the safety standards of the fleet and provide a more equitable payment of charges and dues based on tonnage measurement.

ANALYSIS

Section 4153 of the Revised Statutes, as amended (46 U.S.C. 77), is the principal statute governing the measurement of vessels of the United States to determine gross and net tonnages for registry or documentation. Paragraph (h) of that section, after first providing for the measurement of closed-in spaces on or above the upper deck, continues as follows: "*Provided*, That nothing shall be added to the gross tonnage for any sheltered space above the upper deck which is under cover and open to the weather; that is, not enclosed.

Sections 2.45, 2.46, and 2.47 of the Customs Regulations (19 CFR 2.45, 2.46, and 2.47) spell out in detail the treatment to be accorded under the above-cited provision of law to sheltered spaces above the upper deck which are under cover, open to the weather, and not enclosed.

Those spaces which qualify thereunder as open are omitted from inclusion in gross and net tonnages whether located in the so-called shelter-deck area or in deck structures on the deck above. The exemption for the shelter-deck area is obtained by cutting or fitting openings, called tonnage openings, in the deck above such space and in bulkheads within the space which conform in size and location to the requirements set out in the regulations. The exemption for the deck structures is obtained by cutting or fitting tonnage openings in the ends or the sides of such structures, again subject to specifications for size and location. The tonnage openings may be temporarily closed in certain prescribed ways but may not be fitted with any permanent means of closure.

The theory under which the allowance is granted is that such spaces, although under cover and temporarily closed, remain open to the weather and should be regarded for tonnage purposes as though on the open deck. Nevertheless, the spaces are in fact made sufficiently weathertight by their covering and closures to permit the carriage of general cargo.

Of course, the authorities who determine the permissible depth of loading of vessels for safety and insurance purposes, the loadline authorities, have taken cognizance of these arrangements and have, in effect, required that the draft of vessels so constructed be decreased, particularly when there are openings in the shelter-deck area.

Thus, if the owner fits his vessel with openings, he will qualify for tonnage benefits in the form of reductions in tonnage but at the same time he will find that his vessel's draft, in all probability, will be reduced. If the openings are closed, he will be permitted, in the usual case, to load his vessel to a deeper level and thus take more cargo, but he will find also that the tonnage of his vessel is increased as a consequence.

The shelter-deck ship and the opening devices are not, however, peculiar to the laws and to the merchant vessels of the United States. Provisions of law and regulations which are almost identical are found in the laws of Great Britain and somewhat similar provisions may be found in the rules applicable for measurement of vessels in maritime nations generally. The practice of inserting these openings and recognizing the resulting allowances for tonnage is, as a result, accepted internationally.

In recent years, several international assemblages interested in tonnage measurement and in the safety of ships, including the 1959 Classification Society Conference held in London, the 1960 International Conference on Safety of Life at Sea, also held in London, and the 1961 meeting of the Oslo Convention Tonnage Experts, held in Reykjavik, Iceland, have called attention to the matter and have taken the position that the practice of permitting such openings is not desirable from the standpoint of seaworthiness and safety. They have recognized the desirability of dispensing with the temporary closing appliances and allowing the use of permanent watertight closures. The Classification Society Conference urged that this be done without influencing the tonnage measurement.

As a result, in 1961, the Intergovernmental Maritime Consultative Organization (IMCO) through its Maritime Safety Committee and its Subcommittee on Tonnage Measurement undertook a study of the problem as a matter of urgency with a view to making recommendations for its solution. The United States has been represented at the meetings of these groups, which have given careful study to the matter with a view to recommending a change which might permit closing the opening without influencing tonnage measurement or having an adverse effect upon the

economics of the shipping industry. These studies have been concluded and the subcommittee's report and recommendations have been given final approval by the Maritime Safety Committee as well as the required approval by the Council and Assembly of IMCO.

The Secretary-General of IMCO, in a note of May 22, 1964, following such final approval, transmitted to governments members of the Organization, including the United States, these recommendations on the treatment of shelter-deck and other open spaces as adopted by resolution of the Assembly of the Organization on October 18, 1963, and an appendix containing certain further recommendations in matters of detail as approved by the Maritime Safety Committee on April 20, 1964, pursuant to authorization of the Assembly. The Secretary-General has expressed the hope that governments will be in a position to implement the recommendations by including the relevant provisions in their national tonnage measurement regulations, pursuant to the recommendation of the Assembly. A copy of the note of May 22, 1964, from the Secretary-General, with its attachments is appended.

Those recommendations, briefly, state that provisions should be introduced into the present national tonnage measurement requirements so that those spaces of a permanent character which are regarded as open spaces, and are accordingly exempted from inclusion in gross tonnage under such rules, may be permanently closed, while retaining the present exemption of these spaces. Such provisions, under the recommendations, are to extend to all ships, whether existing or new, and permit exemption from gross tonnage of (a) certain permanently closed spaces situated on or above the uppermost complete deck exposed to sea and weather and (b) certain permanently closed spaces situated between the above-mentioned uppermost complete deck and the complete deck next below (i.e., the second deck) provided that a tonnage mark as defined in the recommendations is not submerged. The tonnage mark is to be located a certain distance below the line of the second deck, the distance being calculated by using the tonnage mark tables which are an integral part of the recommendations.

The tonnage mark, which is to be on each side of the ship slightly abaft amidships, is not to be assigned above the appropriate statutory loadline marked in accordance with the International Load Line Convention in force and the national legislation and regulations issued thereunder. However, it is specifically provided that nothing in the recommendations should prevent the assignment of a statutory loadline on the assumption that the second deck is the freeboard deck; when it is so assigned, the tonnage mark may be placed at the same level without regard to any tabular assignment which would otherwise be required. The tonnage mark is to be regarded as placed at the same level as the appropriate statutory loadline if marked on a line level with the uppermost part of the loadline grid.

When the tonnage mark is not submerged, following these recommendations, the gross and net tonnages determined by exempting the spaces which qualify for exemption and which are situated within the uppermost 'tween deck should apply; when the tonnage mark is submerged, the gross and net tonnages determined without exempting the said spaces should be applicable.

If the spaces which qualify for exemption are situated in the detached superstructures or deck houses on or above the uppermost complete deck, they are to be exempt from inclusion in the gross and net tonnages, whether or not the tonnage mark is submerged.

The recommendations define the spaces qualifying for exemption as those spaces which are permanently closed but which, were they provided with tonnage openings, would be exempt from inclusion in the gross tonnage under the present relevant national tonnage measurement requirements.

Provision is made in the recommendations for the tonnage certificate and the marine document of a vessel which has a tonnage mark to show two sets of gross and net tonnages, except in a case in which the statutory loadline is assigned on the assumption that the second deck is the freeboard deck and in which the tonnage mark is placed at the same level as the loadline mark; in the latter case only one set of tonnages need be shown.

The draft legislation forwarded with this anaylsis is designed to give effect to the recommendations which have been transmitted by the Secretary-General of IMCO.

Section 1 of the bill contains definitions of the terms "uppermost complete deck," "second deck," "trunks," and "Secretary." The definitions of the first three terms conform to those included in the IMCO recommendations. The term "Secretary" is defined as meaning the Secretary of the Treasury.

Section 2 provides that upon application of the owner and approval by the Secretary, there shall be omitted from inclusion in the gross tonnage, and hence in the net tonnage, the volume of certain spaces, including principally the spaces available for the carriage of dry cargo or stores above the uppermost complete deck and between that deck and the deck next below and the spaces used for cabins or staterooms on the uppermost complete deck. When the spaces are those available for dry cargo or stores between the uppermost complete deck and the second deck or those used for cabins and staterooms on the uppermost complete deck, the omission from tonnage is to apply only upon the condition that a control device, designated a tonnage mark, is placed and displayed on the vessel and the further condition that the mark is not submerged.

The exemption of cargo space, it will be noted, has been limited to that for the carriage of dry cargo. The reference to "dry" cargo is not unique in present law, for the term is used in section 4132 of the Revised Statutes, as amended (46 U.S.C. 11). The term has been included because of the view expressed by the Subcommittee on Tonnage Measurement of IMCO as contained in its report to the Maritime Safety Committee, although not included in its formal proposals, that although the recommendations are applicable to all ships, nevertheless they relate only to those ships and spaces therein which comply with the provisions of paragraph 8 of the recommendations as later forwarded by the Secretary-General of IMCO and included in the attachment to this analysis. This expression was made following a lengthy discussion of intention in which all agreed that the recommendations should not be read to permit the exemption of liquid cargo space, which could not be exempted at present since no such space could be fitted with openings because of the very nature of the cargo itself. Of course, if the openings were to be closed, the space might be made suitable for liquid cargo. It is, therefore, necessary in some way to indicate that such spaces are not within the intendment of the draft legislation. The term may require some definition in the regulations to be issued under the legislation. It is expected that the definition, if deemed necessary, will be drawn in accordance with the above-stated expression of intention in the application of the recommendations.

While, as indicated, the spaces to be exempted in the 'tween deck (that is, the space between the uppermost complete deck and the deck next below) will consist principally of spaces available for cargo or stores, there are certain other spaces in that area which today would be exempted from gross tonnage if the space were to be fitted with proper tonnage openings. An example of a space which would not be regarded as available for cargo or stores but which would be exempted in such case is the space occupied by a closed-in resistor house.

A closed-in space, of course, could not be regarded as open to the weather and not enclosed within the meaning of that portion of paragraph (h) of section 4153 which has been quoted above. However, that portion of paragraph (h) of section 4153 which immediately precedes the quoted matter and which provides for the measurement of closed-in spaces provided only for the measurement of those spaces as are available for cargo, or stores, or for the berthing or accommodation of passengers or crew. This Department and its predecessors in the administration of the provisions of section 4153 have construed these provisions as not requiring or providing for the measurement of any closed-in space on the upper deck other than one of those specifically named. Since the space in an open 'tween deck is regarded as space on the upper deck, it follows that a resistor house and any other similar space would not be measured and included in the tonnage of a vessel so constructed.

Having spaces such as this in mind and the difficulties of making an inclusive list of such spaces, section 2(a) has been drawn to include among the spaces exempted "other spaces so located which would be omitted from gross tonnage under the provisions of section 4153 if above the upper deck." This will, in effect, exempt all spaces in the 'tween deck area other than spaces for the berthing or accommodation of passengers or crew.

In section 3, the tonnage mark is described in general terms, and there is a requirement that it be marked on each side of the vessel. However, detailed specifications for location and dimensions are not included. Such specifications are reserved for inclusion in regulations to be issued under the act by the Secretary. It is expected that these regulatory requirements will follow the IMCO recommendations and that the tonnage tables included therein will be used in specifying the vertical location of the tonnage mark. However, since it may be anticipated that changes in the tables may become necessary or advisable on the basis of experience in operation or by reason of changed conditions, it has been considered advisable to avoid including these details in the legislation in order to obviate the necessity for requesting amendments to the law for the purpose of making relatively minor changes.

Section 4 provides that the tonnage mark shall not appear above the statutory summer loadline mark. This provision follows a specific recommendation in the IMCO papers to that effect. It appears that no substantial purpose would be served by placing the mark in such a location, since the loadline mark cannot lawfully be submerged. However, the section makes an exception in a situation in which a statutory loadline is assigned at a freeboard greater than the minimum, when the tonnage mark is permitted to be maintained on a line level with the uppermost part of the loadline grid. Owners of vessels who desire to retain present tonages or to receive equivalent tonnage assignments and who are willing to operate their vessels indefinitely at a lesser draft in order to maintain a lower set of tonnages without having higher tonnages shown on their vessel documents would be permitted to do so under this section.

Section 5 provides that, except when the tonnage mark is at the level of the uppermost part of the loadline grid, an additional line may be added, subject to regulatory specifications for location and dimensions. The line is intended for use in fresh or tropical waters as an indication of the permissible depth of loading for retention of

tonnage benefits. While details of location and dimensions of this line have been omitted for the same reasons as those given above for section 3, it is expected that the regulatory specifications will conform to the recommendations of IMCO.

Section 6 sets out the circumstances in which the tonnage mark is to be deemed to be submerged. This will occur when the upper edge of the horizontal line which forms the mark is under water, except that when the additional line provided under the preceding section is marked, the tonnage mark is not to be deemed to be submerged unless that line is under water. This latter provision is similar to a provision found in the loadline convention which permits deeper loading in fresh or tropical waters. The principal effect, broadly speaking, will be to permit vessels in fresh water to load the same amount of cargo as in salt water without losing tonnage benefits.

Section 7 provides in effect that if a vessel has a tonnage mark placed so that it is possible to submerge it without submerging the loadline mark, the measurement certificate or marine document shall show both the higher gross and net tonnages applicable while the tonnage mark is submerged and the lower gross and net tonnages applicable while the tonnage mark is not submerged. If the tonnage mark is so placed as to be effectively prohibited by proximity to the loadline mark from being lawfully submerged or if there is no mark, only one set of tonnages, reflecting all exemptions applicable in any specific case, is to be shown. The provisions will require the showing of all applicable tonnages and will permit enforcement authorities to select the proper tonnages in application of pertinent laws, charges, or fees.

Section 8 provides for the marking of a deckline for use in vertical location of the tonnage mark when the vessel involved is not subject to the requirements for having a statutory loadline mark and does not have one assigned.

Section 9 amends section 4149 of the Revised Statutes (46 U.S.C. 72) to omit the present detailed requirements relating to the issuance of certificates of admeasurement and the requirements for countersigning of such certificates by the owner, the master or the agent of the vessel. The latter provision appears to have outlived its usefulness and the specification of details appears overly restrictive and unnecessary. The new section would permit the details in such issuances to be specified by regulation.

Section 10 amends section 4150 of the Revised Statutes (46 U.S.C. 74) to delete the detailed provisions with regard to the dimensions to be shown in vessel registers and the detailed specifications with respect to determining length, breadth, depth, and height. The amended section would permit the Secretary to prescribe by regulation for taking dimensions and expressing them appropriately in any register or other marine document issued to a vessel.

Section 11 would further amend section 4153 of the Revised Statutes (46 U.S.C. 77) by inserting as a first paragraph a sentence specifying the deck which is to be deemed the tonnage deck in vessels and requiring the measurements be taken in feet and decimal fractions of feet. These provisions are taken substantially from section 4150 of the Revised Statutes. They appear to be more appropriate for inclusion in the general measurement statute.

Section 12 authorizes the Secretary to make such regulations as may be necessary to carry out the provisions of the act.

Section 13 provides a penalty for making of false, fictitious, or fraudulent statements or representations in any matter in which a statement or representation is required in the regulations issued under the act. This penalty, for flexibility and ease of administration, would be civil in nature and subject to remission in mitigation as provided in section 15 below.

Section 14 provides a penalty if a required tonnage mark is not placed or displayed on the vessel. This penalty corresponds in nature and amount to the penalty prescribed in section 4153 of the Revised Statutes for failure to have the net tonnage marked as well as to similar penalties in other sections of law relating to the marking of official numbers and names on vessels (see 46 U.S.C. 45 and 46). It would be subject to administration in the same manner as the penalty provided in section 13.

Section 15 would provide authority for remission or mitigation of any penalty incurred under the act pursuant to the provisions of section 5294 of the Revised Statutes, as amended (46 U.S.C. 7).

The bill is, of course, not intended to repeal by implication or affect any provision of existing statute not specifically mentioned and expressly amended. Any vessel may be measured after enactment in accordance with existing law, as in the past. Accordingly, if tonnage openings are fitted or remain fitted on vessels after approval of the proposed legislation, the spaces which may be regarded as open by virtue of such tonnage openings under present law will be omitted from inclusion in gross tonnage, and consequently from inclusion in net tonnage. However, if the owner of such a vessel, whether the vessel exists at the time of enactment or is built thereafter, should elect to file an application for treatment under section 2 of the act and if that application is approved, the exemption or omission of such spaces as are described in that section will be granted subject to compliance with the other requirements.

ESTABLISHMENT OF PROGRAM OF CASH AWARDS FOR SUGGESTIONS, INVENTIONS, OR SCIENTIFIC ACHIEVEMENTS BY MEMBERS OF THE ARMED FORCES

The bill (H.R. 8333) to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 678), 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 establish a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces, which contribute to the efficiency, economy, or other improvement of Government operations. No award of more than $25,000 may be made under the bill, the same limitation as appears in the existing civilian program.

BACKGROUND OF THE BILL

The "Government Employees Incentive Awards Act" was established by Public Law 83-763 (68 Stat. 1112) on September 1, 1954. This act permits the payment of awards to and for the honorary recognition of civilian officers and employees of Government who by their suggestions, inventions, superior accomplishments or other personal efforts, contribute to the efficiency, economy, or other improvement of Government operations or who perform special acts or services in the public interest in connection with or related to their official employment. The members of the military services are not covered by this act. The purpose of this measure, therefore, is to provide a similar program for the members of the military services, insofar as it relates to the suggestions, inventions, or scientific achievements which contribute to the economy, efficiency, or other improvements to the operations or programs of the Armed Forces.

Military and civilian personnel often work side by side on similar jobs, entailing similar authority and responsibility. By law, the civilian may receive a sizable cash award from public funds for a sound idea or invention. The military member does not, but should, have the same opportunity.

Defense position

The Department of Defense has in the past been opposed to cash payments to service personnel for beneficial suggestions. This past policy with regard to beneficial suggestions has been based upon the supposition that monetary payments would be inconsistent with and a reflection upon the traditional "sense of duty" of those in the military. Military personnel have always been rewarded for beneficial suggestions by appropriate entries in their fitness (effectiveness) reports, service records, and, in exceptional cases, by letters of commendation.

The Department of Defense has reconsidered its position in the light of the success of the incentive pay program, which is now an integral part of the military pay structure, and the marked success of the suggestion programs utilized by the Federal civil service and private industry. In view of this reconsideration, the Department of Defense has now recognized the value of the proposed military incentive awards program and strongly favors the legislation.

Private business

Leaders in the most successful business enterprise support the premise that cash awards for suggestions or inventions not only save money, but of equal importance, improve the morale of employees. Industry accepts as much as 30 percent of the suggestions received and saves an estimated $200 million a year for the ideas they take out of the suggestion boxes. For example, at General Motors, $7.5 million was distributed to more than 220,000 employees for suggestions last year. The Ford Motor Co. is so eager for ideas that employees who win the maximum $6,000 award also receive a new car.

Federal Government

The Federal Government began such a program in 1912 when the Secretary of War was authorized to pay cash awards for suggestions by workers in the Army's ordnance shops. A similar program was initiated by the Navy Department in 1918. These programs were generally inactive, however, until 1943 when the War Production Board spurred the defense industry into establishing a considerable employee suggestion program under the guidance of each factory's labor-management committee. In that year also the Navy Department revitalized its program under its old act of 1918 and the War Department, Interior Department, and Maritime Commission obtained special legislation through their appropriation acts to pay cash awards for adopted suggestions. It was not until 1946 that the suggestion program was extended Government-wide under section 14, Public Law 79-600. In 1949, title X of the Classification Act (Public Law 429) provided for the granting of awards to individuals or groups of employees whose suggestions or work performance contributed to efficiency in Government operations. Title VII of the same Classification Act continued the additional step increases for superior accomplishment originally introduced in 1941. This overlapping legislation, however,

made it difficult to operate an awards program in most agencies so that the programs were reconciled into one piece of legislation in 1954 by Public Law 83–763.

Accomplishments

In 1964, Army, Navy, and Air Force civilian employees submitted 233,552 suggestions of which 63,581 were adopted. This resulted in first year benefits of $66,171,148, as against a cost of $2,315,980 for cash awards. Since the Armed Forces is one of the largest groups of employees, this means of reaching the untapped idea potential of the hundreds of thousands of military personnel should, in the opinion of the committee, be equally productive.

COST AND SAVINGS

There has been little experience on which to base an estimate of the cost of an awards program or the possible savings resulting from such a program for military personnel. However, based upon the rate of civilian participation in the program and the money paid out for cash awards, it would appear that by including approximately 2,685,000 military members, it could result in additional annual savings of approximately $186,091,000 versus an estimated expenditure of $6,680,000. This estimate was arrived at by (1) taking the actual rate of civilian participation in each service program, the amount of cash awards paid out for adopted suggestions, the savings effected; and (2) projecting this experience to the number of military personnel that would be affected by the proposed program.

COMMITTEE CONCLUSIONS

The committee strongly feels that military personnel are entitled to and should be rewarded in the same way as civilian personnel for substantial ideas, suggestions, or inventions that result in increased efficiency, economy, or other improvements in the operations or programs of the Armed Forces or the Government as a whole. Such recognition should apply only in those instances where it may be clearly demonstrated that an improvement or a savings has or will result in the operation of the department concerned.

The language of the law governing civilian employees of the Government (68 Stat. 1112) is rather generally worded so as to apply to other rather intangible propositions, namely, "superior accomplishments, or other personal efforts and special acts or services in the public interest." To apply such terminology to the military, in the opinion of the committee would be in conflict with the various special pays which the Congress has provided for the military, such as are set forth below. Furthermore, it is believed that every employee of the Government whether civilian or military, should be expected to perform his duties commensurate with the best of his ability at all times. Insofar as the military is concerned, however, it is recognized that those engaged in research might possibly submit research papers that do not fall within either of the categories of suggestions or inventions but might still result in improvement or economy in the Government's programs. This fact has been taken into consideration in the proposed bill.

The special pays referred to above are as follows:

1. Incentive pay for hazardous duty: This is extra pay granted all members of a class while serving in dangerous military occupations. Among other duties are those involved in aviation or submarine operations, parachute jumping, and demolition of explosives. The pay varies by grade and type of duty.

2. Pay for physicians and dentists: The amount of such pay increases with the length of active duty service.

3. Pay for veterinarians: Of $100 a month for each month of active duty.

4. Pay for diving duty: At the rate of $110 a month for periods during which diving is actually performed.

5. Pay for sea or oversea duty: Paid to an enlisted member at a monthly rate based on grade (maximum $22.50).

6. Proficiency pay for enlisted members: The monthly rate varies from $50 to $150 on the basis of a proficiency rating in connection with a special military skill.

7. Reenlistment bonus for voluntary reenlistment (maximum $2,000).

8. Hostile fire: Pay of $65 a month for duty subject to hostile fire is payable to a member of a uniformed service.

The committee will expect the implementing regulations prepared by the Department of Defense to clearly reflect that this program will be administered in such a manner as to preclude duplication of awards between the services.

CLAIMS AGAINST THE GOVERNMENT

Proposed section 1040(d) provides that the acceptance of a cash award is considered to be an agreement by the recipient that the use of any idea, method, or device for which the award is made may not be the basis for a further claim against the United States by him, his heirs, or assigns. This language is similar in purpose to that used in the Government Employees' Incentive Awards Act (5 U.S.C. 2123(d)). The Civil Service Commission regards such provision in that act as a safeguard so that the grant of a cash award would terminate the Government's financial obligation unless the Government voluntarily waived such protection.

Under this provision, for example, if a suggestion forming the basis of an award should be in the form of an invention patented by the employee, that patent could not be the basis of a claim for compensation against the Government for use of the patented invention regardless of the circumstances under which the invention was made.

The acceptance of a cash award, in short, authorizes the Government to use the subject invention in any manner necessary or desirable to its authorized functions without paying the inventor anything in addition to the award.

As a corollary of its license to use the invention is the right of the Government to contract with an independent contractor for the manufacture of the item involved for its direct use by the Government.

The proposed legislation does not prevent the serviceman-inventor from obtaining a patent and receiving royalties therefrom in cases where the Government is not involved.

FISCAL DATA

As indicated and explained previously in the report under "Cost and Savings," this bill would appear to involve the expenditure of $6,680,000 during a year's period with estimated savings to the Government thereby of $186,091,000.

DEPARTMENTAL DATA

This legislation is a part of the Department of Defense legislative program for the 89th Congress. The Bureau of the Budget has no objection to this legislation.

ADMISSION OF CERTAIN FORMS OF NICKEL FREE OF DUTY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 663, H.R. 6431.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6431) to amend the Tariff Act of 1930, to provide that certain forms of nickel be admitted free of duty.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (H.R. 6431) was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 681), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSES

The bill suspends through June 30, 1967, the duties on ferronickel, unwrought nickel, and nickel powder imported from non-Communist countries. It also authorizes the President to proclaim the continuance of such duty-free treatment after June 30, 1967, in order to carry out a trade agreement entered into under the authority of section 201 of the Trade Expansion Act of 1962.

GENERAL STATEMENT

Description of products

Ferronickel is provided for in TSUS items 607.25, unwrought nickel in TSUS item 620.02, and nickel powders in TSUS item 620.32. The rate of duty applicable to these three forms of nickel is 1.25 cents per pound.

Unwrought nickel is refined nickel consisting largely of sheared electrolytic nickel cathodes and similar crude forms, and is often referred to as metallic nickel or nickel metal. It accounts for the largest volume of imports of products covered by the bill (over 90 percent of all imported nickel content in 1963). Canada is the principal producer of unwrought nickel and provides over 90 percent of U.S. imports. Norway is the only other supplier of consequence.

Nickel powders are another form of refined metallic nickel, and Canada is virtually the sole supplier of U.S. imports.

Ferronickel is defined in the TSUS as a "ferrous alloy consisting essentially of iron and nickel and containing 10 percent or more, by weight, of nickel." This material is produced directly from ore smelted in an electric furnace and has a nickel content of from 30 to 50 percent. Because the present duty on ferronickel is based upon gross weight and due to the fact that the iron content of this product is from 50 to 70 percent, imports have been insignificant.

U.S. production and imports

The United States is heavily dependent upon imports for its supplies of nickel. During 1960–64, annual U.S. consumption of nickel ranged between 108,000 short tons (1960) and 135,000 short tons (1964). Domestic mine production of nickel has amounted to 13,000 to 15,000 short tons per annum, which tonnage has been converted into ferronickel. Nickel recovered by reprocessing scrap materials has added 9,000 to 11,000 short tons per annum to the domestic supply. Domestic mine production plus secondary nickel from scrap has been equivalent to approximately one-fifth of annual nickel consumption in the United States.

Total imports of primary nickel in various forms amounted to about 129,000 short tons (nickel content) in 1964, 119,000 short tons in 1963, and 123,000 short tons in 1962.

Except for small quantities of nickel derived as a byproduct of copper refining, all primary nickel is produced in this country by a single company which operates a mine and smelter in Oregon. The domestic product is a high-grade ferronickel (45 percent nickel, 55 percent iron). Foreign ferronickel generally has less than a 30-percent nickel content.

Certain nickel materials other than those covered by the bill; viz, nickel oxide (including nickel oxide sinter), nickel ore, nickel matte, and other materials containing over 10 percent nickel, and nickel waste and scrap are already free of duty.

Uses of nickel

Nickel is used principally as an alloying element in the production of stainless and other steels, accounting for 47.6 percent of the total annual consumption for 1964. Other major uses are: nonferrous alloys (16 percent), electroplating (19 percent), and high-temperature and electrical resistance alloys (10 percent). The balance is consumed for other uses such as catalysts, ceramics, and magnets.

Duty suspension to assist U.S. industry

Your committee is advised that the present duty on the products covered by the bill constitutes a significant cost burden on U.S. manufacturers, particularly producers of stainless steel and alloy steels, and removal of the duty would help to improve the competitive position in the domestic as well as the export market of U.S. products manufactured from imported nickel-bearing raw materials. Most foreign producers obtain their nickel duty free. Domestic stainless steel producers have stated that their competitive position in the U.S. market and abroad would be considerably enhanced by the elimination of the duties on unwrought nickel, nickel powder, and ferronickel. From this, your committee understands that the saving accruing from the elimination of the duty on unwrought nickel, nickel powder, and ferronickel would be passed on to the consumer of such nickel products.

As previously indicated, the duty on ferronickel has been a deterrent to the importation of this product, which competes with duty-free oxide. This is true despite cost and technical advantages which the use of ferronickel provides in steelmaking. Furthermore, under existing economic and technological conditions, domestic reserves of nickel-bearing ores used in the manufacture of ferronickel are limited and may be depleted, at the present rate of production, within the next two decades.

Effect of duty suspension on Government stockpile

Surplus U.S. Government stocks of nickel in all forms amounts to about 165,000 short tons, or 330 million pounds, having a present market value of between 75 and 79 cents per pound. Acquisition cost of this nickel averaged 64 cents per pound. While removal of the duties on the nickel products covered by the bill might have some depressing effect on the disposal price of Government surplus stocks, your committee is satisfied that such effect would be minor and that continued disposal of surplus Government stocks at a profit will be possible.

Provisions of the bill

The bill provides for duty-free treatment for the period beginning the day after enactment through June 30, 1967. Under the bill, duty-free treatment would be available only with respect to nickel, nickel powders, or ferronickel, imported from non-Communist countries. Such products imported from Communist countries would continue to be dutiable at the nonconcession rates of 3 cents per pound. The possibility of continuance of duty-free treatment beyond June 30, 1967, is provided for in section 2(b).

The first sentence of section 2(b) provides that duty-free treatment beyond June 30, 1967, shall not apply except pursuant to a trade agreement which is entered into under the Trade Expansion Act of 1962 before July 1, 1967.

The second sentence of section 2(b) gives the President the authority to grant an extension of the duty-free treatment beyond June 30, 1967, in a trade agreement, such as the one which is now being negotiated in the Kennedy round of trade negotiations in Geneva, in which the United States will obtain reciprocal concessions. These negotiations are being conducted on the part of the United States under the authority of the Trade Expansion Act of 1962. The second sentence of section 2(b) therefore provides, in effect, that the temporary duty-free treatment provided by the bill shall be considered permanent duty-free treatment for purposes of the President's authority under section 201 of the Trade Expansion Act. In the absence of a trade agreement with respect to the products concerned entered into prior to July 1, 1967, the present U.S. duty on these products will be reinstated on that date.

In connection with any agreement for the continuance beyond June 30, 1967, of the duty-free treatment of the products covered by the bill, the pertinent provisions of the Trade Expansion Act of 1962 will apply, including the preagreement procedures in section 221 et seq. The staging requirements of section 253 would not apply, since they apply only to the reduction of a duty, as opposed to the continuation of duty-free treatment.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that measures on the calender beginning with No. 665 and ending with 668 be considered.

The PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will state the first bill.

AMENDMENTS TO INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

The Senate proceeded to consider the bill (S. 1935) to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Polish Claims Agreement of July 16, 1960, and for other purposes which had been reported from the Committee on Foreign Relations with an amendment on page 2, line 16, after "March 31,", to strike out "1966" and insert "1968"; and, in line 24, after the word "the", to strike out "Governor" and insert "Government"; 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 the International Claims Settlement Act of 1949, as amended, is further amended as follows:

(1) Subsection (f) of section 4, title I, is hereby amended to read as follows:

"(f) No remuneration on account of services rendered on behalf of any claimant in connection with any claim filed with the Commission under this title shall exceed 10 per centum of the total amount paid pursuant to any award certified under the provisions of this title, on account of such claim. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives, on account of services so rendered, any remuneration in excess of the maximum permitted by this section, shall be fined not more than $5,000 or imprisoned not more than twelve months, or both."

(2) Section 6, title I, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) The Commission shall complete its affairs in connection with the settlement of United States-Polish claims arising under the Polish Claims Agreement of July 16, 1960, not later than March 31, 1968."

(3) Subsection (b) of section 7, title I, is amended by inserting "(1)" after the subsection letter, and adding at the end thereof the following paragraphs:

"(2) The Secretary of the Treasury shall deduct from the undisbursed balance in the Polish claims fund, created pursuant to section 8, as of the date of enactment of this paragraph and from each payment thereafter into that fund, 5 per centum thereof as reimbursement to the Government of the United States for expenses incurred by the Commission and by the Treasury Department in the administration of this title. The amounts so deducted shall be covered into the Treasury to the credit of miscellaneous receipts. The Secretary shall make payment to the person or persons entitled thereto out of the Polish claims fund on account of any amounts deducted pursuant to subsection (b) of section 7 from payments made pursuant to section 8(c) (1) and (2) prior to the enactment of this paragraph.

"(3) The Secretary of the Treasury shall deduct from each payment into any other special fund created pursuant to section 8, subsequent to November 4, 1964, 5 per centum thereof as reimbursement to the Government of the United States for the expenses by the Commission and by the Treasury Department in the administration of this title. The amount so deducted shall be covered into the Treasury to the credit of miscellaneous receipts."

(4) Paragraph (1) of subsection (c), section 7, title I, is hereby amended to read as follows:

"(1) If any person to whom any payment is to be made pursuant to this title is deceased or is under a legal disability, payment shall be made to his legal representative, except that if any payment to be made is not over $1,000 and there is no qualified executor or administrator, payment may be made to the person or persons found by the Comptroller General to be entitled thereto, without the necessity of compliance with the requirements of law with respect to the administration of estates."

(5) Subsection (c) of section 8, title I, is amended by striking out the phrase "any of the funds" and inserting in lieu thereof "the Yugoslav claims fund", and by inserting the phrase "paragraph (1) of" after the phrase "pursuant to" and before the words "subsection (b)".

(6) Section 8, title I, is hereby further amended by adding at the end thereof the following subsection:

"(e) The Secretary of the Treasury is authorized and directed out of the sums covered into the Polish claims fund and into any other special fund created pursuant to this section subsequent to November 4, 1964, to make payments on account of awards certified by the Commission pursuant to this title with respect to claims included within the terms of the Polish Claims Agreement of 1960 and of any other similar agreement entered into subsequent to November 4, 1964, as follows and in the following order of priority:

"(1) Payment in the amount of $1,000 or in the principal amount of the award, whichever is less;

"(2) Thereafter, payments from time to time on account of the unpaid principal balance of each remaining award which shall bear to such unpaid principal balance the same proportion as the total amount in the Polish claims fund and in any other special fund created pursuant to this section subsequent to November 4, 1964, available for distribution at the time such payments are made bears to the aggregate unpaid principal balance of all such awards; and

"(3) Thereafter, payments from time to time on account of the unpaid balance of each award of interest which shall bear to such unpaid balance of interest, the same proportion as the total amount in the Polish

claims fund and in any other special fund created pursuant to this section subsequent to November 4, 1964, available for distribution at the time such payments are made bears to the aggregate unpaid balance of interest of all such awards."

(7) Section 302, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) The Secretary of the Treasury shall cover into each of the Bulgarian and Rumanian claims funds, such sums as may be paid by the Government of the respective country pursuant to the terms of any claims settlement agreement between the Government of the United States and the Government of such country."

(8) Section 303, title III, is amended by striking out the word "and" at the end of paragraph (2), and by striking out the period at the end of paragraph (3) and inserting in lieu thereof a semicolon and immediately thereafter, the word "and".

(9) Section 303, of title III, is further amended by adding at the end thereof the following new paragraph:

"(4) pay effective compensation for the nationalization, compulsory liquidation, or other taking of property of nationals of the United States in Bulgaria and Rumania, between August 9, 1955, and the effective date of the claims agreement between the respective country and the United States."

(10) Section 304 of title III is amended by inserting "(a)" after the section number and adding at the end thereof the following subsections:

"(b) The Commission shall receive and determine, or redetermine as the case may be, in accordance with applicable substantive law, including international law, the validity and amounts of claims owned by persons who were nationals of the United States on August 9, 1955, which arose out of the war in which Italy was engaged from June 10, 1940, to September 15, 1947, and with respect to which provision was not made in the treaty of peace with Italy: *Provided,* That no awards shall be made to persons who have received compensation in any amount pursuant to subsection (a) of this section or under section 202 of the War Claims Act of 1948, as amended, or to persons whose claims have been denied by the Commission for reasons other than that they were not filed within the time prescribed by section 306.

"(c) The Commission shall receive and determine, or redetermine as the case may be, in accordance with applicable substantive law, including international law, the validity and amounts of claims owned by persons who were nationals of the United States on September 3, 1943, and the date of enactment of this subsection, against the Government of Italy which arose out of the war in which Italy was engaged from June 10, 1940, to September 15, 1947, in territory ceded by Italy pursuant to the treaty of peace with Italy: *Provided,* That no awards shall be made to persons who have received compensation in any amount pursuant to the treaty of peace with Italy or subsection (a) of this section.

"(d) Within thirty days after enactment of this subsection, or within thirty days after the date of enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under subsections (b) and (c) of this section, whichever date is later, the Commission shall publish in the Federal Register the time when and the limit of time within which claims may be filed with the Commission, which limit shall not be more than six months after such publication.

"(e) The Commission shall certify awards on claims determined pursuant to subsections (b) and (c) of this section to the Secretary of the Treasury for payment out of remaining balances in the Italian claims fund in accordance with the provisions of section 310 of this title, after payment in full of all awards certified pursuant to subsection (a) of this section.

"(f) After payment in full of all awards certified to the Secretary of the Treasury pursuant to subsections (a) and (d) of this section, the Secretary of the Treasury is authorized and directed to transfer the unobligated balance in the Italian claims fund into the war claims fund created by section 13 of the War Claims Act of 1948, as amended."

(11) Section 306, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) Within thirty days after enactment of this subsection or the enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under paragraph (4) of section 303 of this title, whichever is later, the Commission shall publish in the Federal Register the time when and the limit of time within which claims may be filed under paragraph (4) of section 303 of this title, which limit shall not be more than six months after such publication."

(12) Section 310, title III, is amended by adding at the end of subsection (a) thereof the following paragraph:

"(6) Whenever the Commission is authorized to settle claims by the enactment of paragraph (4) of section 303 of this title with respect to Rumania and Bulgaria, no further payments shall be authorized by the Secretary of the Treasury on account of awards certified by the Commission pursuant to paragraphs (1), (2), or (3) of section 303 of the Bulgarian or Rumanian claims funds, as the case may be, until payments on account of awards certified pursuant to paragraph (4) of section 303 with respect to such fund have been authorized in equal proportion to payments previously authorized on existing awards certified pursuant to paragraphs (1), (2), and (3) of section 303."

(13) Section 316, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) The Commission shall complete its affairs in connection with the settlement of claims pursuant to paragraph (4) of section 303 and subsections (b) and (c) of section 304 of this title not later than two years following the date of enactment of such paragraph, or following the enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under paragraph (4) of section 303 and subsections (b) and (c) of section 304 of this title, whichever is later."

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 682), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

MAIN PURPOSE OF THE BILL

The main purpose of S. 1935 is to provide for the determination of claims of American nationals which are covered by the United States-Polish Claims Agreement of July 16, 1960. Pursuant to that agreement, Poland agreed to pay to the United States an amount of $40 million in 20 annual installments of $2 million each. As of this date, five $2 million installments have been paid to the U.S. Treasury.

In addition, S. 1935 provides for the disposition of funds received under the terms of en bloc claims settlement agreements concluded with the Governments of Bulgaria (on July 2, 1963), Rumania (on March 30, 1960), and Yugoslavia (on November 5, 1964), and the reopening of the Italian claims program in order to pay claims not previously compensable. The bill also contains several administrative housekeeping provisions which the Foreign Claims Settlement Commission feels are desirable on the basis of past experience.

BACKGROUND OF CLAIMS PROGRAMS COVERED BY S. 1935

Set forth below are statistics and background information regarding the various claims programs covered by the pending bill. The programs are administered by the Foreign Claims Settlement Commission under the authority of the International Claims Settlement Act of 1949, as amended.

1. YUGOSLAVIA CLAIMS PROGRAM

Statutory authority: Title I of the International Claims Settlement Act of 1949 (Public Law 81–455, approved March 10, 1950).

Type of claims: Nationalization or other taking.

Dates of taking or loss: 1939 to 1948.

Filing period: June 30 to December 30, 1951.

Number of claims: 1,556.

Amount asserted: $149,344,249.70.

Number of awards: 876.

Amount of awards: $18,817,904.89.

Amount of fund: $17 million.

Amount paid on awards: Approximately 91 percent.

Program completed: December 31, 1954.

Background: Historically, the first post-World War II lump-sum claims settlement agreement entered into by the United States was that with Yugoslavia which was signed on July 19, 1948. Under its terms, Yugoslavia agreed to pay the United States $17 million as full settlement and discharge of all claims of U.S. nationals "on account of the nationalization and other taking by Yugoslavia of property and of rights and interests in and with respect to property," which occurred between September 1, 1939, and the date of agreement. In return the United States agreed to release approximately $47 million in blocked assets (including $42 million in gold bullion) being held by the Federal Reserve Bank of New York. The agreement also defined "nationals" and provided for the establishment of an agency by the United States to adjudicate claims (International Claims Commission). Yugoslavia was allowed to file briefs as amicus curiae, and the determinations of the adjudicating agency with respect to the validity and the amounts of claims were to be "final and binding." The funds were to be distributed in accordance with methods adopted by the United States, and if any excess remained it was to be returned to Yugoslavia.

The Commission completed the processing of claims under this program on December 31, 1954. However, the actual distribution of awards by the Treasury Department was held in abeyance because of litigation until March 31, 1956, when the U.S. Court of Appeals (District of Columbia) held that the Commission's decisions on the validity and amounts of claims were final and conclusive and not subject to judicial review.

Another claims agreement with Yugoslavia was signed on November 5, 1964. (See appendix.) The claims covered by the agreement arose out of nationalization and other taking by Yugoslavia of property of American nationals subsequent to July 19, 1948, the date of the first claims agreement with Yugoslavia. Pursuant to the terms of the 1964 agreement, Yugoslavia is to pay the sum

of $3,500,000 in five annual installments of $700,000 each, beginning on January 1, 1966. The claims will be adjudicated by the Foreign Claims Settlement Commission, after the Congress appropriates the necessary funds for its administrative expenses.

At the time the 1964 agreement was signed there was an exchange of notes (see appendix) in which Yugoslavia indicated it intended to compensate persons who were not U.S. nationals when their property was taken. It understood that these individuals will be required to file their claims with the local government in Yugoslavia where their property was located at the time it was nationalized or otherwise taken.

2. BULGARIAN AND RUMANIAN CLAIMS PROGRAMS

Background: Pursuant to the authority contained in Executive Order 8389, issued on April 10, 1940, the United States blocked the assets of the Governments and nationals of Rumania (on October 1, 1940) and Bulgaria (on March 4, 1941). After World War II, in the peace treaties of February 10, 1947, these Governments undertook to restore American-owned property in their respective countires or else provide compensation to the extent of two-thirds of the war damage suffered by such property. These undertakings were not honored; nor were American owners compensated for property which was nationalized or otherwise taken subsequent to the date of the treaties.

Under the terms of the peace treaties, it was provided that assets in the United States belonging to Bulgaria and Rumania or their nationals might be seized and liquidated and the proceeds used to satisfy the claims of American citizens against those Governments. Accordingly, title II of the International Claims Settlement Act of 1949 (approved August 9, 1955) was enacted to authorize the vesting of assets in the United States owned by Bulgaria and Rumania and their nationals, other than natural persons. The exclusion of the latter category follows the American principle that the property of private individuals should not be used for the payment of debts arising out of acts of foreign governments. However, the proceeds from the liquidation of the other vested assets were transferred to special funds in the Treasury and used to pay compensation to qualified American claimants against the Governments of Bulgaria and Rumania.

Title III of the International Claims Settlement Act of 1949, also approved on August 9, 1955, contains certain administrative and general provisions relating to the Bulgarian and Rumanian claims programs. Additional information regarding these programs, both of which were completed on August 9, 1959, is set forth below.

Bulgaria

Statutory authority: Title III of the International Claims Settlement Act of 1949 (Public Law 84–285, approved Aug. 9, 1955).

Type of claims: Nationalization and war damage.

Dates of taking or loss: War damage, 1939–45; nationalization, 1945–55.

Filing period: September 30, 1955, to October 1, 1956.

Number of claims: 391.

Amount asserted: $25,455,927.

Number of awards: 217.

Amount of awards: Principal, $4,684,187; interest, $1,887,638.

Amount of fund: $2,613,325.

Amount paid on awards: Approximately 50 percent.

Program completed: August 9, 1959.

On July 2, 1963, the United States entered into an agreement (see appendix) whereby Bulgaria agreed to pay an additional $400,000 (payable in two equal installments of $200,000 each, which were made on July 1, 1964, and July 1, 1965) as final settlement of total U.S. claims against the Government of Bulgaria.

Rumania

Statutory authority: Title III of the International Claims Settlement Act of 1949 (Public Law 84–285, approved Aug. 9, 1955).

Type of claims: Nationalization and war damage.

Dates of taking or loss: War damage, 1939–45; nationalization, 1945–55.

Filing period: September 30, 1955, to October 1, 1956.

Number of claims: 1,073.

Amount asserted: $259,742,036.

Number of awards: 498.

Amount of awards: Principal, $60,011,348; interest, $24,717,943.

Amount of fund: $20,057,346.

Amount paid on awards: Approximately 30 percent.

Program completed: August 9, 1959.

Under the terms of an agreement dated March 30, 1960 (see appendix), Rumania agreed to pay the United States an additional $2.5 million (payable in five installments of $500,000 each beginning July 1, 1960) as final settlement of total claims against Rumania. All of the money due pursuant to the agreement has been received by the U.S. Treasury.

3. ITALIAN CLAIMS PROGRAM

Statutory authority: Title III of the International Claims Settlement Act of 1949 (Public Law 84–285, approved Aug. 9, 1955, and Public Law 85–604, approved Aug. 8, 1958).

Type of claims: War damage.

Date of loss: 1939 to 1947.

Filing period: September 30, 1955, to October 1, 1956.

Number of claims: 2,246.

Amount asserted: $27,412,985.

Number of awards: 482.

Amount of awards: Principal, $2,730,146; interest, $929,165.

Amount of fund: $5 million.

Amount paid on awards: 100 percent.

Program completed: May 31, 1960.

Background: The Italian claims fund consisted of $5 million which was paid to the United States by Italy in accordance with the terms of the Lombardo Agreement of August 14, 1947. This agreement resulted from negotiation for the return of approximately $60 million of Italian assets which had been vested or blocked by the United States during World War II.

The purpose of the money in the Italian claims fund was, in general, to compensate claimants for losses relating to property located outside of Italy and attributable to Italian military action (e.g., losses on the high seas, in Greece, Yugoslavia, and other areas in which Italy engaged in military action), and certain personal injury and similar nonproperty losses which arose in Italy. Claims for losses relating to property located in Italy itself were provided for in the Italian Peace Treaty of September 15, 1947.

The money in the Italian claims fund was sufficient to pay all eligible claimants 100 cents on the dollar, and after the program was completed on May 31, 1960, there remained an unobligated balance of $1,088,623.53. Since the Lombardo Agreement did not contain a reverter clause, this balance was retained by the United States, and, ordinarily, would be deposited in the miscellaneous receipts account of the Treasury. Pursuant to the provisions of S. 1935, however, the Italian claims program will be reopened and extended to cover certain claims not previously compensable, and any balance remaining will be transferred to the war claims fund to reimburse, in some measure, that fund for money used to compensate prisoners of war who were detained by or in Italy during World War II.

4. POLISH CLAIMS PROGRAM

Authority: United States-Polish Agreement of 1960 and S. 1935.

Type of claims: Nationalization or other taking and certain debt claims.

Dates of taking loss: 1945 to 1960.

Filing period: August 16, 1960, to March 31, 1962.

Number of claims: 10,239.

Amount asserted: $1,143,565,517.

Number of awards: 3,230 (as of July 31, 1965).

Amount of awards: Principal, $57,026,831.39; interest, $29,982,841.15 (as of July 31, 1965).

Amount of fund: $40 million (to be paid in 20 annual installments; $10 million received).

Amount paid on awards: Approximately $3 million.

Program completed: Date proposed by S. 1935 is March 31, 1968.

Background: On January 3, 1946, the Government of Poland enacted legislation for the nationalization of basic branches of the national economy. Subsequently, on December 27 of the same year, representatives of the United States and Poland reached an informal preliminary agreement which provided that U.S. nationals should receive compensation from Poland in dollars for investments made in dollars, and in zlotys for other investments. The terms of payment of such compensation were left for a final agreement, but no such final agreement was signed because negotiations were broken off in 1947 and were not resumed until 1957. On July 16, 1960, after almost 3 years of negotiations, an agreement was signed by the United States and Poland (see appendix) whereby Poland agreed to pay $40 million over a 20-year period in full settlement of all claims of U.S. nationals on account of nationalization or other taking of property in Poland.

The payment of the amount of $40 million is to be made in 20 yearly installments of $2 million each, beginning on January 10, 1961. The claims settled by the agreement are claims of U.S. citizens whose property, or rights and interest in property, were either (a) nationalized or otherwise taken (confiscated, expropriated, seized, condemned, etc.) by the Government of Poland; or (b) appropriated, or limited and restricted in their use or enjoyment under Polish laws, decrees, or other government measures. In addition, the agreement covers debts owed to American citizens by nationalized or confiscated enterprises, and debts which were a charge upon nationalized, appropriated, or otherwise taken property.

Claims based on dollar bonds issued or guaranteed by the Polish Government in the United States during the period 1919 to 1939 are not included in the agreement. The Polish Government has informed the United States that it intends to settle this bonded indebtedness by direct talks with American bondholders or their representatives.

The Foreign Claims Settlement Commission began its work in connection with the Polish claims program on September 1, 1960, under the authority of title I of the International Claims Settlement Act of 1949, as amended, which established procedures for the administration of such a program by the Commission. Pursuant to the provisions of S. 1935, as amended by the Committee on Foreign Relations, the Commission is directed to complete its activities relating to the Polish claims program not later than March 31, 1968, which is 6 years from the last day for filing timely claims.

RULE OF LAW REGARDING ELIGIBILITY OF CLAIMANTS

In adjudicating claims under the above programs, the Foreign Claims Settlement Commission is directed to apply, with respect to claims under title I, the "provisions of

the applicable claims agreement" and the "applicable principles of international law, justice, and equity," and with respect to claims under title III and IV, "applicable substantive law, including international law." In this connection, one of the principles adopted by the Commission deals with the eligibility requirements of a natural person to file a valid claim against another government. The Commission has adhered to the familiar rule of international law that, in order to be eligible to receive an award under the programs over which it has jurisdiction the claimant must show that his claim was owned by a national or nationals of the United States (not necessarily the same national or nationals) from the time it arose until the date of filing with the Commission.

It should be noted that this principle was consistently followed by the Committee on Foreign Relations in reporting legislation establishing the claims funded mentioned above. The only time the committee deviated from this principle was in 1958, when it approved an amendment relating to the Italian claims fund. In that case, however, money remained in the fund after all American claimants had received 100 cents on the dollar for their losses, and certain American claimants who became citizens after their losses occurred were precluded from recovering anything from Italy because of the above principle of international law. In these circumstances, the committee felt it would not be doing violence to the priority of right, which, as a matter of general practice, is maintained for those who were American citizens at the time of loss.

COMMITTEE ACTION AND RECOMMENDATION

The Subcommittee on Claims Legislation of the Committee on Foreign Relations held a public hearing on S. 1935 on August 5, 1965. The full committee considered the bill in executive session on August 10, and ordered it reported favorably with an amendment.

The committee amendment extends from March 31, 1966, to March 31, 1968, the period in which the Foreign Claims Settlement Commission is to complete its affairs in connection with the Polish claims program. Testimony was received indicating that additional time was needed in order to obtain from Polish authorities sufficient documentary evidence to support many of the claims which have been filed with the Foreign Claims Settlement Commission. The committee agrees that each claimant should be given adequate time in which to secure evidence to substantiate his claim, and it is believed that the 2-year extension provided for in the committee amendment will afford that opportunity.

The committee also made minor changes in S. 1935 for the purpose of correcting typographical errors. On page 2, line 24, the word "Government" was substituted for the word "Governor," and on page 6, line 19, the date "August 9, 1958" was changed to "August 9, 1955".

As was pointed out previously, the Government of Poland has already made payments amounting to $10 million pursuant to the terms of the claims settlement agreement of July 16, 1960, and both Rumania and Bulgaria have completed payments in the amount of $2,500,000 and $400,000, respectively, under the terms of claims settlement agreements entered into earlier. S. 1935 will permit the Foreign Claims Settlement Commission to proceed with the orderly administration of these claims programs. It is recommended, therefore, that the Senate approve it without delay.

DISPOSITION OF GEOTHERMAL RESOURCES

The Senate proceeded to consider the bill (S. 1674) to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources and for other purposes which had been reported from the Committee on Interior and Insular Affairs with amendments on page 3, line 4, after the word "of", to insert "other"; in line 9, after the word "this", to strike out "Act." and insert "Act, nor shall operations under leases issued pursuant to the provisions of this Act unreasonably interfere with or endanger operations under any lease, claim, or permit issued pursuant to the provisions of any other Act."; in line 25, after the word "to", to strike out "him." and insert "him, and except that in no case shall the use or production of such byproducts be permitted other than by the holder of preexisting leases, claims, and permits whenever the same or similar byproducts are being produced on the same land under other leases, claims or permits granted previously."; on page 5, line 17, after the word "in", where it appears the first time, to insert "Federal"; in line 18, after the word "exceeding", to strike out "one hundred thousand" and insert "fifty-one thousand two hundred"; on page 8, line 16, after "SEC. 11.", to strike out "Each lease under this Act shall be granted to the first qualified person making application therefor without competitive bidding." and insert "Subject to the provisions of subsections (a) and (b) hereof, if the lands to be leased under this Act are within any known geological structure of a geothermal resources field, they shall be leased to the highest responsible qualified bidder by competitive bidding under regulations to be formulated by the Secretary of the Interior. If the lands to be leased are not within any known geological structure of a geothermal resources field, the qualified person first making application for the lease shall be entitled to a lease of such lands without competitive bidding. Notwithstanding the foregoing, at any time within one hundred and eighty days following the effective date of this Act:

"(a) with respect to all lands which were on January 1, 1965, subject to valid leases or permits issued under the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181, et seq.), or under the Mineral Leasing Act for Acquired Lands, as amended (30 U.S.C. 351–358), or to valid mining claims filed on or prior to January 1, 1965, the lessees or permittees or claimants who are qualified to hold geothermal leases shall have the right to convert such leases or permits or claims to geothermal leases covering the same lands; and

"(b) with respect to all lands which were on January 1, 1965, the subject of applications for leases or permits under the above Acts, the applicants may convert their applications to applications for geothermal leases having priorities dating from the time of filing of such applications under such Acts."; on page 10, line 5, after the word "minerals", to strike out "extracted or produced under the lease" and insert "derived from production under the lease and sold or utilized by the lessee"; in line 16, after the word "than", to strike out "50 cents" and insert "$1"; and, in line 22, after the word "of", to strike out "$1.00" and insert "$2"; 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 the Secretary of the Interior (hereinafter referred to as the Secretary), may issue leases for the development and utilization of geothermal steam and associated geothermal resources (1) in lands administered by him, and (2) in any national forest or other lands administered by the Department of Agriculture through the Forest Service whether withdrawn or acquired, subject to section 4 hereof.

SEC. 2. The short title of this Act shall be the Geothermal Steam Act of 1965.

SEC. 3. For the purposes of this Act, geothermal steam and associated geothermal resources shall include all fluid products of geothermal processes, embracing steam, naturally heated water and brines, and any mineral or other product derived from any of them, including heat or other energy, but excluding oil, hydrocarbon gas, and helium.

SEC. 4. Where the lands sought for use or development under this Act have been withdrawn, or were acquired, in aid of a function of a Federal department or agency other than the Department of the Interior, the Secretary may issue leases under this Act only with the consent of, and subject to such terms and conditions as may be prescribed by, such Federal department or agency to insure the adequate utilization of the lands for the purposes for which they are administered, or for which they were acquired.

SEC. 5. Leases under this Act may be issued only to citizens of the United States, associations of such citizens, or corporations organized under the laws of the United States or of any State thereof, or to governmental units, including, without limitation, municipalities.

SEC. 6. Administration of this Act shall be under the principles of multiple use of public lands and resources, and shall allow coexistence of other leases of the same lands for deposits of other minerals under applicable laws, and the existence of leases issued pursuant to the provisions of this Act shall not preclude other uses of the areas covered thereby. However, operations under such other leases or such other uses shall not unreasonably interfere with or endanger operations under any lease issued pursuant to this Act, nor shall operations under leases issued pursuant to the provisions of this Act unreasonably interfere with or endanger operations under any lease, claim, or permit issued pursuant to the provisions of any other Act. Nor shall this Act be construed as superseding the authority which the head of any Federal department or agency has with respect to the management, protection, and utilization of the Federal lands and resources under his jurisdiction.

SEC. 7. Where the production, use, or conversion of geothermal energy through the medium of geothermal steam is also susceptible of producing other valuable products and minerals incidental thereto, substantial beneficial use of production of such byproducts shall be required, except that the Secretary in individual circumstances may modify or waive this requirement in the interests of conversion of natural resources or for other reasons satisfactory to him, and except that in no case shall the use or production of such byproducts be permitted other than by the holder of preexisting leases, claims, and permits whenever the same or similar byproducts are being produced on the same land under other leases, claims, or permits granted previously.

SEC. 8. Leases under this Act shall be for a primary term of fifteen years, and so long thereafter as geothermal steam or energy

is produced or utilized in commercial quantities. Any lease issued under this section for land on which, or for which under an approved cooperative or unit plan of development or operation, actual drilling operations were commenced prior to the end of its primary term and are being diligently prosecuted at that time shall be extended for five years and so long thereafter as geothermal steam or energy is produced or utilized in commercial quantities. Leases which have extended by reason of production, and have been determined by the Secretary to be incapable of further commercial production or utilization of energy from geothermal steam, may be further extended for a period not to exceed five years from the date of determination by the Secretary that the leasehold has become nonproductive of geothermal energy, but only for so long as one or more valuable byproducts of geothermal production are produced in commercial quantities.

If such subsisting valuable byproducts are leasable under the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181, et seq.), or under the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351–358), and the leasehold is primarily valuable for the production thereof, the lessee shall be entitled to convert his geothermal lease to a mineral lease under such appropriate Act upon application within the period of lease extension by reason of byproduct production.

SEC. 9. Leases under this Act shall embrace a reasonably compact area of not less than six hundred and forty acres and not more than two thousand five hundred and sixty acres, except where occasioned by an irregular subdivision or by irregular subdivisions. No person, association, or corporation except as otherwise provided in this Act, shall take, hold, own, or control at one time, whether acquired directly from the Secretary under this Act or otherwise, any direct or indirect interest in Federal geothermal leases in any one State exceeding fifty-one thousand two hundred acres. At any time after fifteen years from the effective date of this Act, the Secretary, after public hearings, may reduce the aforesaid maximum holding by regulation.

SEC. 10. The Secretary shall prescribe such rules and regulations as he may deem appropriate to carry out the provisions of this Act. Such regulations may include, without limitation, provisions for (a) the prevention of waste, (b) development and conservation of geothermal and other natural resources, (c) the protection of the public interest, (d) assignment, segregation, extension of terms, relinquishment of leases, development contracts, unitization, pooling, and drilling agreements, (e) compensatory royalty agreements, suspension of operations or production, and suspension or reduction of rentals or royalties, (f) the filing of surety bonds to assure compliance with the terms of the lease and to protect surface use and resources, (g) use of the surface by lessee of the lands embraced in his lease, and (h) the maintenance by the lessee of an active development program.

For the purpose of more properly conserving the natural resources of any geothermal pool, field, or like area, or any part thereof, lessees thereof and their representatives may unite with each other, or jointly or separately with others, in collectively adopting and operating under a cooperative or unit plan of development or operation of such pool, field, or like area, or any part thereof, whenever determined and certified by the Secretary to be necessary or advisable in the public interest. The Secretary is authorized, in his discretion, with the consent of the holders of leases involved, to establish, alter, change, or revoke such leases and to make such regulations with reference to such leases, with like consent on the part of the lessees, in connection with the institution and operation of any such cooperative or unit as he may deem necessary or proper to secure reasonable protection of the public interest. The Secretary may provide that geothermal leases shall contain a provision requiring the lessee to operate under such a reasonable cooperative or unit plan, and he may prescribe such a plan under which such lessee shall operate, which shall adequately protect the rights of all parties in interest, including the United States. Any such plan may, in the discretion of the Secretary, provide for vesting in the Secretary or any other person, committee, or agency of the Federal or State Governments designated therein, authority to alter or modify from time to time the rate of prospecting and development and the quantity and rate of production under such plan. All leases operated under any such plan approved or prescribed by the Secretary shall be excepted in determining holdings or control for the purposes of section 9 of this Act.

When separate tracts cannot be independently developed and operated in conformity with an established well-spacing or development program, any lease, or a portion thereof, may be pooled with other lands, whether or not owned by the United States, under a communitization or drilling agreement providing for an apportionment of production or royalties among the separate tracts of land comprising the drilling or spacing unit when determined by the Secretary to be in the public interest, and operations or production pursuant to such an agreement shall be deemed to be operations or production as to each lease committed thereto.

The Secretary is hereby authorized, on such conditions as he may prescribe, to approve operating, drilling, or development contracts made by one or more lessees of geothermal leases, with one or more persons, associations, or corporations whenever, in his discretion, the conservation of natural products or the public convenience or necessity may require or the interests of the United States may be best subserved thereby. All leases operated under such approved operating, drilling, or development contracts, and interests thereunder, shall be excepted in determining holdings or control under section 9 of this Act.

SEC. 11. Subject to the provisions of subsections (a) and (b) hereof, if the lands to be leased under this Act are within any known geological structure of a geothermal resources field, they shall be leased to the highest responsible qualified bidder by competitive bidding under regulations to be formulated by the Secretary of the Interior. If the lands to be leased are not within any known geological structure of a geothermal resources field, the qualified person first making application for the lease shall be entitled to a lease of such lands without competitive bidding. Notwithstanding the foregoing, at any time within one hundred and eighty days following the effective date of this act:

(a) with respect to all lands which were on January 1, 1965, subject to valid leases or permits issued under the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181, et seq.), or under the Mineral Leasing Act for Acquired Lands, as amended (30 U.S.C. 351–358), or to valid mining claims filed on or prior to January 1, 1965, the lessees or permittees or claimants who are qualified to hold geothermal leases shall have the right to convert such leases or permits or claims to geothermal leases covering the same lands; and

(b) with respect to all lands which were on January 1, 1965, the subject of applications for leases or permits under the above Acts, the applicants may convert their applications to applications for geothermal leases having priorities dating from the time of filing of such applications under such Acts.

The conversion of leases, permits, and mining claims and applications for leases and permits shall be accomplished in accordance with procedures prescribed by the Secretary.

SEC. 12. Leases issued under this Act will provide for:

(a) a royalty of 10 per centum of the amount or value of steam, or any other form of heat or energy derived from production under the lease and sold or utilized by the lessee;

(b) a royalty of not less than 5 per centum of the value of minerals derived from production under the lease and sold or utilized by the lessee; except that as to any mineral enumerated in section 1 of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181), the minimum rate of royalty for such mineral shall be as provided in that Act and the maximum rate of royalty for such mineral shall not exceed the maximum royalty payable upon it under any lease executed pursuant to that Act;

(c) payment in advance of an annual rental of not less than $1 per acre or fraction thereof for each year of the lease. If there is no well on the leased lands capable of producing geothermal resources in commercial quantities, the failure to pay rental on or before the anniversary date shall terminate the lease by operation of law;

(d) a minimum royalty of $2 per acre in lieu of rental payable at the expiration of each lease year for each producing lease, commencing with the lease year beginning on or after the commencement of production in commercial quantities;

(e) for the purpose of determining royalties hereunder the value of any geothermal steam or energy used by the lessee and not sold shall be determined by the Secretary, who shall take into consideration the cost of exploration and production and the economic value of the resource in terms of its ultimate utilization.

SEC. 13. The holder of any geothermal lease at any time may make and file in the appropriate land office a written relinquishment of all rights under such lease or of any legal subdivision of the area included within any such lease. Such relinquishment shall be effective as of the date of its filing, subject to the continued obligation of the lessee and his surety in accordance with the applicable lease terms and regulations: (1) to make payment of all accrued rentals and royalties, (2) to place all wells on the lands to be relinquished in condition for suspension or abandonment, and (3) to protect or restore the surface and surface resources; thereupon the lessee shall be released of all obligations thereafter accruing under said lease with respect to the lands relinquished, but no such relinquishment shall release such lessee, or his bond, from any liability for breach of any obligation of the lease, other than an obligation to drill, accrued at the date of the relinquishment.

SEC. 14. Subject to the other provisions of this Act, lessees shall be entitled to use so much of the surface, as may be deemed necessary by the Secretary, for the production and conservation of geothermal resources.

SEC. 15. The Secretary may waive, suspend, or reduce the rental or minimum royalty for any lease or portion thereof in the interests of conservation and to encourage the greatest ultimate recovery of geothermal resources, if he determines it is necessary to promote development, or finds that the lease cannot be successfully operated under the lease terms.

SEC. 16. The Secretary, upon application, may suspend operations and production on a producing lease. On his own motion, the Secretary, in the interest of conservation, may suspend operations on any lease, but in any such case he shall extend the lease term for the period of any suspension.

SEC. 17. Upon request of the Secretary, other Federal departments and agencies shall furnish him with any relevant data then in its possession or knowledge concerning or having bearing upon fair and adequate charges to be made for geothermal steam or other form of geothermal energy produced for conversion to electric power or other purposes. Data given to any Federal department or agency as confidential under law shall not be furnished in any fashion which shall identify or tend to identify the business entity whose activities are the subject of such data, or the person or persons who furnished such information.

SEC. 18. All moneys received under this Act from public lands under the jurisdiction of the Secretary of the Interior shall be disposed of in the same manner as moneys received from the sale of public lands. Moneys received under this Act from other lands shall be disposed of in the same manner as other receipts from such lands.

SEC. 19. Leases may be terminated by the Secretary for any violation of the regulations or lease terms after thirty days' notice, but the lessee shall be entitled to a hearing on the matter if request for the hearing is made to the Secretary within the thirty-day period after notice.

SEC. 20. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to the exemption from State water laws.

The amendments were agreed to.

Mr. BIBLE. Mr. President, geothermal steam, the natural underground deposits of earth-heated energy, is a valuable resource that has been neglected much too long in the United States. Our Nation is far behind many others in harnessing this "instant energy," as I like to call it. The legislation before us, S. 1674, is designed specifically to correct this situation. I consider this goal clearly vital to our Nation's orderly development of natural resources.

The development of geothermal steam to generate electricity, to produce minerals and to provide heat has proven to be commercially feasible and extremely useful in several countries, notably New Zealand, Italy, Iceland, and the Soviet Union. Yet, despite an abundance of underground steam deposits in this country, there have been only a few pioneer developments, principally in California.

The main problem in the United States has been the fact that most geothermal steam resources are found on Federal lands, and there are no specific provisions in Federal law giving access to them. This bill, which I sponsored, is designed to correct that situation and in so doing to promote orderly and beneficial use of this readymade energy.

I should point out that the bill is the product of more than 4 years of work and has benefited from the active concern of the Senate Committee on Interior and Insular Affairs, the Department of the Interior, members of the infant industry interested in this resource, and the many interested Senators. Because it deals with a relatively new and untried area the legislation involves several unique questions. We have borrowed from the practical experiences of mineral, oil, and gas leasing laws where we could, but many questions have been unique in nature and have required original answers.

In my opinion, the results embodied in the bill are fair and workable.

Under this legislation, Congress sets the basic guidelines for leasing public lands for geothermal steam development. At the same time, the Department of the Interior is given adequate authority for intelligent administration of the leases, and private industry is offered incentive and protection in carrying out the development. I believe the result will be a new era in resource development.

Certainly there is a great need to develop this resource. Just as certainly, the potential benefits are immense. This energy that has been wasting away for countless centuries can bring low-cost power to many areas of the Nation now virtually isolated from our great hydroelectric projects. It can supply heat at reasonable cost in areas where regular fuels to produce heat are scarce and expensive. It can yield minerals that are otherwise unaccessible and it can foster a new industry that will contribute substantially to our expanding economy.

The bill has the approval of the Senate Committee on the Interior and the Department of the Interior, and it has enthusiastic endorsement from private industry. I urge the Senate to act affirmatively on it now so that congressional action can be completed as early as possible.

Mr. KUCHEL. Mr. President, I support, enthusiastically, S. 1674, the much needed authorization to the Secretary of the Interior to enter into leases for the development of geothermal steam on the public lands of the United States.

The development of geothermal steam is a new, unique, and challenging industry. In the past few years there has been a greatly increased worldwide search for sources of low-cost energy. While geothermal deposits have been utilized to create electrical power for many years in several European countries, most of the exploratory activity in the United States has been concentrated in my great State of California. In fact, the only commercial development has been established in northern California.

One of our fine industrial concerns has expended considerable funds in pioneering the harnessing of this steam for sale to be used to create electrical energy. Other interested companies have likewise made substantial investments in attempting to discover and put to use geothermal steam deposits, to date only on private lands.

The Department of the Interior and the industry are convinced that the greater part of the geothermal resources of the United States are located in the public domain. At the present, there are no provisions in the law by which developers can apply for and receive leases for the exploration and development of these lands. There is also no way that the Federal Government can utilize fully these natural underground steam-energy deposits.

Some developers have used the general mining laws and filed placer mining claims because of the assorted byproducts and valuable minerals that are sometimes found suspended in the steam. Other have filed oil and gas leases under the Mineral Leasing Act, not to develop oil and gas but to explore and develop geothermal energy. Neither of these methods has led to the orderly disposition of geothermal steam and associated geothermal resources under basic principles of public land management and conservation.

It is readily apparent that this confusion must be corrected. I salute my able colleague from Nevada, Senator BIBLE, who, after more than 4 years of study, research, and work, has presented to us a bill which will give the Secretary the proper machinery to develop the substantial potential that underlies our public lands.

Under the terms of S. 1674, the Secretary of the Interior will now be able to enter into leases, following specific guidelines established by Congress; standards which will allow the development on our public domain of what some geologists believe may be geothermal deposits which may constitute an inexhaustible form of electrical energy. We will now be able to realize an effective and economic long-run development of this vast and valuable resource.

I sincerely urge the Senate to enact this legislation.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Let's Tap Nature's Steam Plants," written by the distinguished senior Senator from Nevada [Mr. BIBLE] and published in the magazine Public Utilities Fortnightly for August 19, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Public Utilities Fortnightly, Aug. 19, 1965]

LET'S TAP NATURE'S STEAMPLANTS

(By the Honorable ALAN BIBLE, U.S. Senator from Nevada)

(NOTE.—Why are we, in this country, wasting a valuable natural resource by failing to develop commercially the instant energy provided by geothermal steam deposits? Legislation is now being advocated to protect both the public interest and encourage private industry to get on with the job of exploitation of this source of energy.)

Mother Nature does a pretty good job of supplying man's industrial needs. The earth abounds in most raw materials for industry and in the fuel energy to put these materials to work for us. Rarely, however, is Mother Nature so obliging as she is with geothermal steam.

By providing geothermal steam deposits, she has served up a prepared dish of energy. And she tosses in a side order of valuable minerals to boot. It does not have to be converted, refined, or transported. It is precooked energy, ready to produce.

On top of all this, geothermal steam is not very difficult to find. In many areas of our Nation, principally in the West, these natural underground steam deposits signal their locations with white plumes of steam bubbling from springs. Coincidentally, they are often found in areas which have no other readily available sources of energy.

If nature wants to be so generous and obliging with geothermal steam, why hasn't man taken advantage of her gift? He has been ingenious in other areas but his efforts to date in geothermal steam have been extremely limited, despite the fact that commercial feasibility has been proven.

Actually, several problems have impeded the development of geothermal steam. The process of harnessing this energy is not quite

so simple as I may have implied, for one thing. For another, the instant energy benefit of this resource can be as much a problem as it is a blessing. However, the biggest single stumbling block is the U.S. Government. Legislation to remove this stumbling block necessarily has to be the first order of business in any major program to develop natural steam. This is why I have taken so active an interest in the problem.

If Uncle Sam can become a helper instead of a hinderer, I am confident other problems associated with geothermal steam development can be quickly solved. The benefits of this energy resource, I think, are obvious. The potential is boundless. The advantages are enormous.

What is geothermal steam, exactly? And why is Uncle Sam so involved in what is and should be a private enterprise development field?

Geothermal energy is, quite literally earth-heat energy. It is commonly known but often forgotten that the earth is considerably hotter within than it is without. This difference in temperature causes heat to flow to the surface where it is dissipated in the atmosphere.

When ground water is heated by a body of hot residual volcanic rock at relatively shallow depth it rises rapidly, following cracks and fissures. Old Faithful Geyser in Yellowstone National Park is a more spectacular example of this condition. Geysers are uncommon enough to be curiosities, but geothermal steam is actually widespread and much more abundant than is commonly realized.

The new geology of Nevada and California makes areas of these States particularly promising for the development of this latent energy. Yet we are only beginning to realize the potential of geothermal steam as a power and mineral source.

COMMERCIAL DEVELOPMENT IS FEASIBLE

When I said the development of geothermal steam has already been demonstrated to be commercially feasible, I referred to projects in Italy and New Zealand as well as in our own country. This background was brought out during initial hearings on my geothermal steam bill before the Senate Interior Subcommittee on Mines, Minerals, and Fuels in 1963. It was in Italy, in fact, that geothermal steam was first used for generating power. A hot spring area near Florence, long used as a health resort, was converted to power production in the late 1930's. Before World War II it was producing some 100,000 kilowatts of electric power. Those powerplants were destroyed by the Germans during the war; but they were rebuilt and now produce more than 300,000 kilowatts from 24 generating units. A flourishing chemical industry, mainly in boron products, has also developed from these geothermal steam resources.

New Zealand's spectacular geyser and fumarole fields near Wairakei attracted power production activity only a few years ago. Yet, by 1958, the government there was producing 65,000 kilowatts and is continuing to expand as industrial and population demands warrant. Other nations, including Russia, Iceland, Japan, Mexico, and the several Central and South American countries, have actively been pursuing the possibilities of geothermal power for several years. Prospects are particularly bright in Iceland.

Efforts to harness geothermal steam in the United States date back to 1924 when a premature attempt was made to tap the energy of several shallow wells in Big Geysers, Calif. There was considerable success, but there was also considerable opposition in the form of cheap and plentiful hydroelectric power at that time.

Magma Power Co., according to testimony before the subcommittee, revived exploration and development efforts in 1955 at Big Geysers and in several other areas, including my own State of Nevada. One result has been the establishment and operation of the first geothermal steam powerplant in the Nation at Big Geysers. Pacific Gas & Electric Co. has just recently completed its second powerplant at this location, and the total power production is fixed at about 28,000 kilowatts. Representatives of the industry call the venture "eminently successful both technically and economically."

Drilling has also disclosed commercial quantities of geothermal steam at Brady Hot Springs, Steamboat Hot Springs, and Beowawe in Nevada and at Casa Diablo, Calif. The most dramatic, it not the most significant, development, however, has been in the Salton Sea region of southern California—oddly enough an area that had few surface manifestations of underground steam.

Relatively deep drilling on private lands in this region not only brought in large volumes of steam but tapped boiling brines rich in chemicals which have commercial importance. Installation of a pilot plant to refine the chemicals followed, and it was indicated that the chemicals produced from this venture might exceed the value of the steam that led to the original investment.

It should be noted, of course, that the presence of water and minerals in steam can be a problem as well as a blessing. Corrosive elements in some natural steam deposits can render them commercially useless in some instances, or at least make it difficult to deliver the energy at a reasonable expense.

THE GOVERNMENT IS A STUMBLING BLOCK

The Federal Government is involved in this promising field because the bulk of geothermal steam deposits is located on the public domain. And while there are ample provisions to lease Federal lands for mining or for oil and gas production, none exist for geothermal steam development.

Limited attempts to explore or develop natural steam on public lands so far have been under the existing Mineral Leasing Act or by staking mining claims. However, without the protection of specific legislation there has been an understandable reluctance in private industry to invest to any significant degree in any pioneer project.

The problem of writing effective laws to encourage development is much like geothermal steam itself—it looks quite simple on the surface, but it becomes complex when you dig into it.

In plumbing the geothermic depths in Congress, we have had the question of whether to amend existing mineral leasing or mining patent laws or whether to write a new act. Is steam to be considered water? Gas? Mineral?

That is just the beginning to the questions, for this is a pioneer field for the Federal Government as well as for industry. We must also attempt to determine what is a "fair and reasonable" rent and royalty. We need to decide the size and terms of leases and how best to make them available to private industry.

One basic question in writing the law does not involve the resource itself but a disagreement over Government philosophy. It can be stated briefly in this manner: How many of the specifics should be written into law by Congress and how many should be delegated to the administrative discretion of the Interior Department?

In response to my first geothermal steam bill, the Interior Department submitted proposed amendments that are considered by many members of the committee to be a blank check for Congress to delegate almost all authority in the matter to the department. The infant industry opposed this because it offered no firm future guidelines for sizable investments.

The Department also favored smaller leases and tighter limitations on the extent of leaseholdings. This also was opposed by the industry.

PROPOSED LEGISLATION

I cannot say at this point exactly what final form this important legislation will take. However, the bill I introduced in the current session of Congress benefited from our previous hearings and attempts to find a just and reasonable midpoint in these divergent approaches.

I believe private enterprise needs and deserves solid ground to establish this new industry. But I also believe the Interior Department, which is reponsible for administering our public domain, must have some discretion. Geothermal steam is too new a field for rigid laws.

My current bill recognizes both needs. It does not write a blank check to the Interior Department. But there is also reasonable authority for administrative flexibility. I have tried to write a law that offers every possible encouragement to industry. I have also tried to write a law that amply protects the public interest, for we cannot forget we are dealing with the public domain.

Congress should spell out the basic guidelines clearly and permanently in the new law. It should set the acreage limits and fix the terms of geothermal steam leases. It should recognize the pioneer nature of geothermal developments and give industry plenty of space with which to explore, build, and expand.

Congress must also recognize that many unforeseen problems are bound to arise and make certain the Interior Department has ample authority to meet them. The Department must be able to enforce necessary resource conservation measures and to help keep development in a constructive and beneficial channel. It must be able to see that public lands taken for geothermal steam development are, indeed, used for that purpose.

Finally, both Congress and the Interior Department and the industry must recognize and respect the multiple-use concept for public lands. And they must observe and respect State water laws and local interests.

I have no doubt that these principles can be followed and that the many questions raised by the development of geothermal steam on public lands can be settled. They are minor when compared with the potential benefits to be realized by both the public and private industry.

Nature's steamplants have been built and operated for many, many years. It is time we begin to use them.

The PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1674) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. KUCHEL. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 683), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Action by the committee in ordering S. 1674, as amended, reported favorably after public hearings was unanimous. The execu-

tive agencies are in support of the purposes and intent of the measure.

BACKGROUND AND PURPOSE

S. 1674, which is sponsored by Senator BIBLE, of Nevada, would open to development by private enterprise an untapped natural resource of the publicly owned lands of the United States, providing new sources of electrical energy and new sources of minerals. This resource is geothermal steam and associated geothermal resources.

Although geothermal deposits are known to exist in a number of places in the public-lands States, there is presently no authority under Federal law for their development. S. 1674 would authorize the Secretary of the Interior to lease these deposits under specified conditions and guidelines, making possible the establishment of new industries and bringing additional revenues into local, State, and Federal treasuries.

S. 1674 is based in large part on S. 883 of the 88th Congress, also sponsored by Senator BIBLE. This latter measure was reported favorably with an amendment in the nature of a substitute after extensive hearings, and passed the Senate on August 21, 1964. However, the House failed to act on the Senate passed bill.

Although, as stated above, the resources and uses of geothermal steam have been only slightly explored, particularly on the public domain, enough is known from experience on privately owned lands and from operations in other countries to warrant encouragement for further development. Of apparent primary importance at this time is the use of the superheated pressurized ground waters for the production of electric energy. But also in a number of locations these waters from far beneath the surface of the earth are known to contain valuable minerals, such as lithium, gold, silver, rare metals, and mineral salts, which are recoverable.

In the United States a geothermal steam electric generating plant and transmission company has been in successful operation for a number of years. This is a privately operated development in Sonoma County, Calif., at which Magma Power Co., operating in association with Thermal Power Co., produces power from geothermal steam and sells it to the Pacific Gas & Electric Co. Production of electric power from geothermal steam also has proved commercially feasible and is in operation at installations in other countries, notably Italy, New Zealand, and Iceland.

Impetus for the legislation has come both from the executive branch and from potential developers who have endeavored to obtain access to the geothermal resources of the public domain under other provisions of Federal law, notably the mining law of 1872, and the Mineral Leasing Act of 1920. The bill, as amended, would protect the enterprise and investment of money and time of such persons.

THE COMMITTEE AMENDMENTS

The committee has amended S. 1674 to comply, in part, with the substance of the recommendations of the Department of the Interior set forth in the draft legislation transmitted by executive communication of July 21, 1965. Also adopted were several of the suggestions made in the hearings by spokesmen for various segments of private industry interested in development of geothermal resources.

The first such amendment is on page 3, line 9, to make clear that the holders of geothermal leases issued under this act shall not interfere unreasonably with operations already initiated on a tract subject to prior lease, mining claim, or permit.

On line 2, page 3, the committee has added an exception to the requirement in section 7 that a geothermal lessee must develop all of the resources covered by his lease. Absent this exception, if geothermal leases were granted on lands already subject to mining claims or a lease issued under the Mineral Leasing Act, the language of section 7 would obligate the geothermal lessee to recover byproducts which were already being produced by the mining law claimant or Mineral Leasing Act lessee. Thus, two or more holders of rights might be, by operation of law, in conflict and competition on the same tract of publicly owned land.

On page 5, lines 8–10, the committee reduced the number of acres any one individual, association, or corporation may hold under geothermal steam lease in any State to 51,200 acres from the 100,000-acre limitation in the measure as introduced.

The amendments to section 11, page 8, beginning line 7, set forth the committee's compromise between the recommendation of the Department of the Interior, which would make all geothermal leasing subject to competitive leasing, and the original bill. That is, the committee followed, in substance, the provisions of the Mineral Leasing Act with respect to oil and gas by making lands within a geological structure known to be valuable for geothermal resources subject to competitive bidding, while providing that "wildcat lands" shall be available on a priority basis to the first qualified applicant.

The committee is informed that the U.S. Geological Survey is qualified to determine, on scientific and technical criteria, what is a "known geologic structure of a geothermal resources field." The committee expects that the Secretary will adopt regulations based on such criteria which will afford stability and certainty to the infant geothermal industry.

In this connection, the committee reemphasizes the legislative intent that the Secretary of the Interior should encourage, in every way possible, the development of the geothermal resources of the publicly owned lands, and should not impose upon small independent operators the expenses and burdens of competitive bidding or other restrictions except where necessary to prevent a patent "windfall" of publicly owned resources.

Also to section 11 the committee has added the "grandfather clause" amendment under which persons who, as of January 1, 1965, were holders of valid mineral leases or claims under the mining law could convert such leases or claims within a period of 6 months to geothermal leases under this act. In additional, applicants for mineral leases or permits could convert their applications to applications for geothermal leases. These "grandfather" rights are intended to apply to leases, claims, or permits on both known and wildcat structures.

This amendment is in accord with the committee's conviction that persons and groups who have invested money and time in developing, or in taking preliminary steps toward developing geothermal resources should have their enterprise and investment protected. Such persons, the committee believes, have equities, at least, that should be recognized.

On pages 9 and 10, section 12 has been amended to increase rentals to not less than $1 an acre per year on nonproducing leases, and to $2 an acre minimum royalty in lieu of rental on producing leaseholds.

OTHER PROVISIONS OF BILL

In addition to the amendments explained above, other provisions of S. 1674 define "geothermal steam and associated geothermal resources," specifically incorporate into the law the principle of multiple use, set forth the primary term of geothermal leases (15 years), and authorize the promulgation of regulations by the Secretary of the Interior to carry out the act, including the maintenance of active development programs on lands under geothermal lease, and the surface uses of the lands so leased.

With respect to what lands are open to geothermal leasing, the committee rejected a proposed amendment of the Department of the Interior to exclude fish and wildlife lands. No evidence was presented showing that geothermal leasing, under proper safeguards, would be inimical to uses for fish and wildlife purposes. Vast acreages in many of the Western States have been declared, by administrative fiat, withdrawn for fish and wildlife purposes, and to shut such areas up from the development of any of their other resources seem unnecessary, inequitable to the State concerned, and contrary to the principle of multiple use.

COST

Enactment of S. 1674 would not require any appreciable increases in appropriation of Federal funds. The only costs would be relatively minor ones of administration, including surveys and determinations by the Geological Survey of geothermal structures.

On the contrary, the bill would make possible the development of presently untapped natural resources of the publicly owned lands of the United States, which would be the foundation of new industries bringing new revenues to both the States and the Federal Government.

AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

The bill (S. 2064) to amend the International Claims Settlement Act of 1949, as amended, relative to the return of certain alien property interests 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 International Claims Settlement Act of 1949, as amended, is further amended by adding section 216 at the end of title II thereof, as follows:

"SEC. 216. (a) Notwithstanding any other provision of this Act or any provision of the Trading With the Enemy Act, as amended, any person—

"(1) who was formerly a national of Bulgaria, Hungary, or Rumania, and

"(2) who, as a consequence of any law, decree, or regulation of the nation of which he was a national discriminating against political, racial, or religious groups, at no time between December 7, 1941, and the time when such law, decree, or regulation was abrogated enjoyed full rights of citizenship under the law of such nation, shall be eligible hereunder to receive the return of his interest in property which was vested under section 202(a) hereof or under the Trading With the Enemy Act, as amended, as the property of a corporation organized under the laws of Bulgaria, Hungary, or Rumania if 25 per centum or more of the outstanding capital stock of such corporation was owned at the date of vesting by such persons and nationals of countries other than Bulgaria, Hungary, Rumania, Germany, or Japan, or if such corporation was subjected after December 7, 1941, under the laws of its country, to special wartime measures directed against it because of the enemy or alleged enemy character of some of all of its stockholders; and no certificate by the Department of State as provided under section 207(c) hereof shall be required for such persons.

"(b) An interest in property vested under the Trading With the Enemy Act, as amended, as the property of a corporation organized under the laws of Bulgaria, Hungary, or Rumania shall be subject to return under subsection (a) of this section only if a notice of claim for the return of any such

interest has been timely filed under the provisions of section 33 of that Act. In the event such interest has been liquidated and the net proceeds thereof transferred to the Bulgarian Claims Fund, Hungarian Claims Fund, or Rumanian Claims Fund, the net proceeds of any other interest transferable but not yet transferred to the same Fund may be used for the purpose of making the return hereunder.

"(c) Determinations by the designee of the President or any other officer or agency with respect to claims under this section, including the allowance or disallowance thereof, shall be final and shall not be subject to review by any court."

SEC. 2. The first sentence of section 207(c) of the International Claims Settlement Act of 1949, as amended, is amended to read as follows:

"(c) The sole relief and remedy of any person having any claim to any property vested pursuant to section 202(a), except a person claiming under section 216, shall be that provided by the terms of subsection (a) or (b) of this section, and in the event of the liquidation by sale or otherwise of such property, shall be limited to and enforced against the net proceeds received therefrom and held by the designee of the President."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 684), 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 S. 2064 is to permit the return of indirect (stockholder) interests in certain enemy corporations vested under title II of the International Claims Settlement Act, or under the Trading With the Enemy Act, to persecutees normally barred from such return by reason of being nationals of Bulgaria, Hungary, or Rumania, which countries were enemies of the United States during World War II. It is identical to a bill (S. 2634) which was approved by the Senate on May 26, 1960.

BACKGROUND

Title II of the International Claims Settlement Act deals with the property of Bulgaria, Hungary, or Rumania, or any national thereof, vested under the Trading With the Enemy Act of 1917, as amended, or blocked under Executive Order 8389, as amended, and provides for the vesting and liquidation of such blocked property which is not owned directly by a natural person. Section 207 presently provides that a claim may be filed for the return of property vested under title II by a person who was not a national of Bulgaria, Hungary, or Rumania on the effective date of Executive Order 8389 (March 4, 1941, for Rumania, and March 13, 1941, for Bulgaria and Hungary). In addition, section 207(c) provides for the allowance of claims by such persons based on ownership of shares of stock in a corporation whose property was vested under title II, if 25 percent or more of the outstanding capital stock or other proprietary interest in the corporation was owned on the date of vesting by nationals of countries other than Bulgaria, Hungary, Rumania, Germany, or Japan. However, section 207(c) makes no similar provisions in the case of stock in such corporations which is owned by persecutees.

On the other hand, under section 32(a)(2)(C) and (D) of the Trading With the Enemy Act, vested property may be returned to individuals who, regardless of nationality, were persecutees of former enemy countries, including Bulgaria, Hungary, and Rumania. The Trading With the Enemy Act does not, however, provide for the return to such persecutees or to nonenemy nationals of their proportionate share in the vested assets of enemy corporations in which they had an interest.

As the law now stands, therefore, only those vested properties which were directly owned by persecutees of the former enemy countries are returnable to these owners. In other words, a persecutee does not now have a right to the return of property if his interest in it is indirect; that is, if it is expressed through ownership of stock in a corporation. In these circumstances, it is possible that the same persecutee could be treated as a friend in the case where his ownership is direct and as an enemy in the case where his ownership is indirect.

EFFECTS OF S. 2064

S. 2064 would eliminate the inequity and place persecutees with an indirect (stockholder) interest in a vested property in the same status as persecutees with a direct interest in a vested property. Moreover, it would apply the same principle whether the property was vested by the United States under the International Claims Settlement Act or the Trading With the Enemy Act. The only condition, assuming that in all other respects the persecutee's claim is a valid one, is that the corporation in which he had an interest was at least 25 percent owned by persecutees or was treated as enemy owned by the Government of Bulgaria, Hungary, or Rumania.

S. 2064 makes these benefits to persecutees having interests in property vested under the Trading With the Enemy Act, such as property of Bulgarian, Hungarian, and Rumanian corporations, contingent upon timely claim having been filed under Trading With the Enemy Act. In this connection, however, it should be noted that in the event a return is to be made to a persecutee of one country only funds held by the Office of Alien Property for future transfer to that country's claims fund in the Treasury can be drawn upon for the purpose of making such return.

COMMITTEE ACTION

On August 5, 1965, the ad hoc Subcommittee on Claims of the Committee on Foreign Relations held a public hearing on several claims bills, including S. 2064. No witness appeared in opposition to the measure, and, as was pointed out previously, it is identical to a bill (S. 2634) which was approved by the Committee on Foreign Relations and the Senate in 1960. (See S. Rept. 1419, 86th Cong., 2d sess.). The committee considered S. 2064 in executive session on August 10, 1965, and ordered it reported favorably to the Senate.

CONCLUDING COMMENTS

As far as can be determined, S. 2064 would affect four stockholders or their heirs of one substantial seized property, the Chinion Chemical & Pharmaceutical Works, Ltd., a Hungarian firm. Based on the percentage of the stockownership of the prospective claimants (none of whom is a U.S. citizen), approximately $120,000 is involved. The assets of the corporation were liquidated by the Office of Alien Property and the net proceeds were deposited in the Hungarian claims fund in the Treasury. Subsequently, pro rata payments were made to American citizens who had claims against the Government of Hungary.

The claimants dealt with here are not and never have been American citizens. They were persecuted by enemy governments, and the proceeds of their property should never have been paid into the Hungarian claims fund in the first place, but rather should have been returned to them. If their property had not been in the form of stock, this would have been done.

S. 2064 simply rectifies this wrong. It fits into the framework of general U.S. international policies with respect to the blocking and vesting of the property of persecutees or of nonenemy nationals. These policies support the principle that the private property of Allied nationals or the victims of enemy persecution shall not be indiscriminately seized for reparations or similar purposes. The United States has upheld this principle as regards Americans or other nonenemy property interests abroad and at home. The effect of S. 2064 will be to bring the practice with respect to the rights of persecutees in vested property in this country into line with the position which the United States has traditionally taken.

As is pointed out above, under existing law there are differences in treatment as between persons having certain interests in assets which were vested under the Trading With the Enemy Act and persons having similar interests in assets which were vested under title II of the International Claims Settlement Act. The committee does not believe there is any legal or equitable justification for the application of a double standard in cases of this nature. It recommends, therefore, that S. 2064 be passed by the Senate.

PERMITTING EARLY PAYDAY FOR ARMED FORCES PERSONNEL

The bill (H.R. 3039) to amend section 1006 of title 37, United States Code, to authorize the Secretary concerned, to make payment of pay and allowances to members of an armed force under his jurisdiction before the end of the pay period for which such payment is due was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 685), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill would permit military paydays as much as 3 days before the last day of a pay period when the last day of the pay period falls on a Saturday, a Sunday, or a legal holiday.

EXPLANATION

Section 529 of title 31, United States Code, prohibits payment in advance of service performed. The Comptroller General has ruled that this section prohibits military paydays on the day before the last day of the month even though no service is required of the member on the last day of the month.

This bill would permit payment of members of the Armed Forces as much as 3 days in advance of the last day of a pay period when the pay period ends on a Saturday, a Sunday, or a holiday. The passage of time has rendered the "last day of the month" rule for military paydays impractical when the day falls on a nonworkday.

Authority to designate an early payday will contribute to increased morale, permit the exercise of more flexibility in scheduling command activities, and could create a savings through the elimination of overtime required to operate service-type facilities on a Sunday or on a holiday when payday must be held on these days because of the "last day of the month" rule.

If a member of the Armed Forces dies before the last day of the pay period, after he has received an advance payment under this bill, the amount he did not earn will not be recoverable by the United States. The maximum amount of any such unearned pay would be that for 3 days, however, and the number of such cases would be so few and

the amount of the potential loss so small that the benefits of an early payday outweigh this possible disadvantage.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request by Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

AUDIT REPORT OF AMERICAN SYMPHONY ORCHESTRA LEAGUE, INC.

The PRESIDENT pro tempore laid before the Senate a letter from George H. Jones, Jr., certified public accountant, Vienna, Va., transmitting, pursuant to law, an audit report on the American Symphony Orchestra League, Inc., for the fiscal year ended May 31, 1965, which, with an accompanying report, was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

H.R. 725. An act to clarify the responsibility for marking of obstructions in navigable waters (Rept. No. 688);

H.R. 727. An act to provide for the administration of the Coast Guard Band (Rept. No. 689); and

H.R. 7779. An act to provide for the retirement of enlisted members of the Coast Guard Reserve (Rept. No. 690).

AUTHORITY FOR COMMITTEE ON AGRICULTURE AND FORESTRY TO FILE REPORT—MINORITY, INDIVIDUAL, AND SUPPLEMENTAL VIEWS

Mr. HILL. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry be permitted until midnight tonight to file its report on H.R. 9811, together with minority, individual, and supplemental views if desired.

The PRESIDING OFFICER (Mr. BASS in the chair). Without objection, it is so ordered.

Subsequently, Mr. ELLENDER, from the Committee on Agriculture and Forestry, reported the bill (H.R. 9811) to maintain farm income, to stabilize prices, and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes, with an amendment, and submitted a report (No. 687) thereon.

BILLS INTRODUCED

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

By Mr. BAYH:

S. 2496. A bill to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; to the Committee on Post Office and Civil Service.

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

By Mr. HOLLAND:

S. 2497. A bill for the relief of Dr. Guillermo Anido y Franguio; to the Committee on the Judiciary.

By Mr. NELSON (for himself, Mr. DOUGLAS, and Mr. PROXMIRE):

S. 2498. A bill to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. PROXMIRE:

S. 2499. A bill to amend the Small Business Act to authorize issuance and sale of participation interests based on certain pools of loans held by the Small Business Administration, and for other purposes; to the Committee on Banking and Currency.

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

RESOLUTION — AUTHORIZATION FOR FOREIGN RELATIONS COMMITTEE TO INVESTIGATE THE LEGALITY OF SHIPPING RESTRICTIONS ON WHEAT

Mr. SYMINGTON (on behalf of Mr. McGOVERN and himself) submitted a resolution (S. Res. 144) authorizing the Foreign Relations Committee to investigate the legality of shipping restrictions on wheat, which was referred to the Committee on Foreign Relations.

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

REGISTRATION OF MAILING LIST BROKERS

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill to require registration with the Post Office Department of mailing list brokers and others who sell or exchange lists of addresses. In a modest way this measure is designed to bring some reduction in the vast quantity of obscene and pornographic materials sent through the mail.

In recent years there has been an increasing amount of unrequested and unwanted advertisements for and inducements to buy smutty publications sent to American homes. Investigation has shown that mailing lists of legitimate enterprises frequently come into the hands of peddlers of filth, often unknown to the original owner of the list. At present there is no organized way of checking on those who buy and sell or who compile mailing lists for their own profitmaking purposes.

This bill, which is identical to one introduced in the House by Representative CLEMENT J. ZABLOCKI, of Wisconsin, would require registration of mailing list brokers whose primary business is the buying and selling of these names and addresses. Records of transactions would have to be kept for at least 5 years by all persons who buy, sell or use mailing lists in a profitmaking activity. For those who violate the terms of the bill, a maximum fine of $5,000 and/or a jail sentence up to 1 year in length is provided.

Let me stress that this measure would not censor self-expression or directly curtail production or distribution of any material. Any attempt by Congress to ban the interstate shipment or the mailing of any publication would immediately be confronted with constitutional and practical administrative problems which would guarantee its failure. Americans are too steeped in the concept of freedom of speech and press to countenance outright governmental censorship.

The purpose of the bill is not to prohibit publication or shipment but to focus official attention on those who sell or exchange mailing lists which might come into the possession of those who traffic in obscene literature. Such brokers would have to provide the Postmaster General with the names under which they do business, the scope and character of their business, the relationship of mailing list operations to other businesses, the locations of their principal offices, and the names and addresses of their directors and chief executive officers. Those who use, buy, sell, lease, rent, exchange or otherwise make available mailing lists for profitable purposes would likewise have to provide similar information about their operations. Bringing the spotlight of publicity on the organizations which are buying and using mailing lists, and requiring that complete records of all transactions be kept for 5 years, would greatly diminish the opportunity for those who deal in smut to acquire the mailing lists of legitimate operators.

It is my understanding that the bill has received the tentative approval of the Post Office Department. There is evidence also that the direct mail industry would favor a measure of this type. I do not believe that it would place any burdensome restriction on any person engaged in any legitimate direct mail business, nor would it impose heavy administrative tasks on the Post Office Department. If the bill were enacted it would not eliminate all distribution of pornography and obscenity through the mails, but it would be extremely helpful in controlling one large source of trouble—the present unregulated and widespread traffic in mailing lists. For this reason I urge that favorable consideration be given this measure.

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

The bill (S. 2496) to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes, introduced by Mr. BAYH, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

APOSTLE ISLANDS NATIONAL LAKESHORE

Mr. NELSON. Mr. President, I am pleased to introduce today a carefully developed bill to create an Apostle Islands National Lakeshore in northern Wisconsin. This project has been a dream of those of us who love this area for many years. Now for the first time, we have gathered together all of the facts and figures needed to present a specific proposal to the U.S. Congress which will be of tremendous benefit to this region and to the entire Nation.

The late President Kennedy visited the Apostle Islands in September 1963. He was thrilled at the natural beauty of the islands, the Lake Superior shoreline and its sandy beaches and the magnificent wild rice marsh which is one of the most significant wildlife areas on the upper Great Lakes. President Kennedy said on that occasion that "We must act to preserve these assets" for the benefit of the people and as a recreational attraction for millions of Americans who live nearby.

Secretary of the Interior Udall, sharing the President's interest, at my request assigned a special subcommittee of his Department to make a detailed study of the feasibility of an Apostle Islands National Lakehore and to draft a specific plan.

This task force has come up with a proposal which has attracted widespread acclaim and which I now introduce in the form of legislation.

The 57,500-acre project includes 30 miles of Bayfield County shoreline, 21 islands, and a 10,000-acre marsh. The Bayfield County shoreline and its beautiful bays would be developed with a scenic highway, visitors' center, tourist lodges and marinas to provide outstanding recreational facilities which would receive intensive use. The 21 islands offshore would be preserved as virtual wilderness with temporary floating docks, primitive campsites and hiking trails. The magnificent wild rice marsh would be preserved just as it is for nature lovers, hunters and fishermen. Regulations would be developed to protect it against some undesirable uses which have been developing in recent years, such as high-speed motor boating and the construction of shacks by outsiders on land they do not own.

I have been interested in this proposal for many years. Like any major recreational project, it involves certain complicated problems, such as the purchase of privately owned property, removal of property from tax rolls, exchange of Indian lands, etc. I am delighted to report that after more than a year of intensive field work, the Interior Department task force has satisfactorily resolved every single one of these problems.

The Apostle Islands National Lakeshore does not create a tax problem; it provides a solution to a tax problem which the area has lived with for a lifetime. The Bad River and Red Cliff Indian Bands will not be hurt; they will be helped. The acquisition of privately owned property developments has been held to an absolute minimum and property owners will have excellent options available to guarantee that their interests will be fully protected.

An excellent economic analysis of the proposal has been made by Prof. I. V. Fine, a University of Wisconsin economist, who has become an authority on the tourist industry as a result of his extensive studies commencing with an assignment from former Governor Thomson, of Wisconsin, in 1958. Professor Fine estimates the value of the land involved at $2,900,000 but says that acquisition costs will probably be considerably less. The State of Wisconsin and Ashland County could continue to administer island properties which they own and the Indian bands could lease tribal land to the Government. Professor Fine estimates on the basis of studies of similar projects that this recreation area should attract 920,000 visits per year once it is fully established. He estimates that it would generate $7,250,000 a year in new consumer spending within the area. The project would require an estimated 21 full-time and 50 part-time employees with an annual payroll of $350,000, not including privately operated concessions which would be operated under lease agreements. It is estimated that 90 percent of the visitors would stay overnight outside the boundaries of the recreation area, thus stimulating private commercial development. New jobs in the area generated by the project are estimated at 363.

The Interior Department task force concluded that this area was truly of national significance and deserving of long-range preservation and development for public enjoyment.

The benefits to the region and the Nation from such a project are obvious. Time is running out on our priceless natural resources. Pollution, industrialization, and population growth are progressively destroying our woods, our waters, and our wildlife. Our population is expected to double by the year 2000. The population increase combined with an increase of income and mobility and leisure time is causing a geometric increase in the demand for park and recreational space. Yet we are making no comparable increase in the amount of space available.

It is estimated that the demand for outdoor recreation by the year 2000 will be 10 times what it was in 1950—the year our State conservation department first formally considered the establishment of an Apostle Islands park or recreation area.

Therefore, we need an Apostle Islands National Lakeshore to help provide quality recreation and wholesome scenic beauty for an estimated 50 million Americans who live within 1 day's driving distance. This project fits in well with a number of other badly needed recreational projects in the Midwest and is desperately needed as an addition to our present bank of outdoor recreational resources.

Second, an Apostle Islands National Lakeshore is the key to the economic development of our northland, which has a great potential as an outstanding center for outdoor recreation. This area, which includes northern Minnesota, northern Wisconsin and northern Michigan, has suffered for half a century because of the progressive depletion of its natural assets and the unwise exploitation of its resources. Today all of its principal industries—iron ore mining, lumbering, fishing, and farming—are depressed. The economic rehabilitation of the north, set back for generations by the ruthless squandering of its timber, mineral, and soil resources, must center around recreational development. Our northland needs an outstanding recreational resource, known to all the Nation, to attract tourists and serve as a complement to the excellent but limited recreational development already existing there.

Third, an Apostle Islands National Lakeshore, developed with Federal funds and administered by the National Park Service, will be of great value to the Bad River and Red Cliff Indian bands whose people will find jobs within the project and many opportunities for commercial development outside its boundaries.

By careful drawing of the project's boundaries, the tax loss is estimated at only about $6,000 per year which would be swiftly offset by the public and commercial development which would come from creation of the national lakeshore.

Although this proposal was first announced only on Sunday, August 29, it has already attracted widespread support.

The Wisconsin State Journal at Madison said in an editorial of September 1, 1965, that the Apostle Islands National Lakeshore "deserves and needs the support of every State citizen."

The Ashland Daily Press, in a column by Norrie Swanson, of August 30, commented that this project "will certainly be a boost to the economy of the Ashland-Bayfield County region." The Ashland paper cited the nationwide press interest shown in the project and expressed the hope that the project "will meet favorable response in Congress."

The jointly owned Portage Daily Register and the Chippewa Falls Telegram described the project as "a great opportunity" in an editorial on August 30. These newspapers stated:

> The Apostle Islands are a unique natural phenomena. Their beauty is certainly unmatched anywhere * * * we have no alternative but to wholeheartedly support Senator Nelson and his proposal for this most worthwhile project.

The Eau Claire Daily Telegram in an editorial on August 30 also praised the proposal and said that the estimate of economic benefits was probably overly conservative. The editorial urged citizens to provide "the broad support needed to preserve this majestic area for posterity."

Virtually every newspaper in the region, including newspapers in Chicago, Minneapolis, St. Paul, and Duluth, devoted considerable space to describing the project and its economic benefits. Letters from individual citizens express similar support.

Mr. President, I ask unanimous consent to insert in the RECORD at this point

the bill and copies of editorials from Wisconsin newspapers endorsing this splendid project.

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

The bill (S. 2498) to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes, introduced by Mr. NELSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2498

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

(a) (1) for the purpose of conserving and developing for the benefit, inspiration, and use of the public certain islands, shorelines, beaches, sandspits, and other natural and historical features within Ashland and Bayfield Counties, Wisconsin, which make up a significant portion of the diminishing shoreline and archipelago environments of the Great Lakes region and which possess high values to the Nation as examples of unspoiled areas of great natural beauty; and

(2) for the purpose of encouraging and enhancing the development and utilization of this region as an important center of public recreation activities, and particularly to encourage participation in the accomplishment of such purposes by the Bad River Band and the Red Cliff Band of the Lake Superior Chippewa Indians of Wisconsin (hereinafter referred to as the "Bad River Band" and the "Red Cliff Band"), there is hereby established the Apostle Islands National Lakeshore (hereinafter referred to as the "lakeshore").

(b) The lakeshore shall comprise those islands, waters, and portions of mainland within Ashland and Bayfield Counties, Wisconsin, as generally depicted on a map identified as "Boundary Map—Proposed Apostle Islands National Lakeshore, NL-A1-7100, sheets 1, 2, and 3," dated May 1965. Said map shall be on file and available for public inspection in the offices of the Department of the Interior.

SEC. 2. (a) Within the boundaries of the lakeshore, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, or any interest therein, by donation, purchase with donated or appropriated funds, or exchange. Any property or interests therein owned by the State of Wisconsin, or any political subdivision thereof, may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within the boundaries of the lakeshore may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the lakeshore.

(b) In exercising his authority to acquire property within the boundaries of the lakeshore by exchange, the Secretary may accept title to any non-Federal property therein, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal and which is of approximately equal value. If the properties are not of approximately equal value, the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged.

SEC. 3. (a) With the exception of not more than 80 acres of land in the Red Cliff Creek area that the Secretary determines are necessary for an administrative site, visitor center, and related facilities, any owner or owners, including beneficial owners (hereinafter in this section referred to as "owner") of improved property on the date of its acquisition by the Secretary may, as a condition of such, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, or the death of either of them. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(b) A right of use and occupancy retained pursuant to this section shall be subject to termination by the Secretary upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act, and upon tender to the holder of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(c) The term "improved property", as used in this section, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1965 (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 4. The authorities granted by this Act shall be subject to the following exceptions and qualifications:

(a) Lands or interests therein within the boundaries of the lakeshore that are held by the United States in trust for the Bad River Band or the Red Cliff Band may be acquired by the Secretary only with the concurrence of the beneficial owner;

(b) Any leasehold interest acquired in lands beneficially owned by the Bad River Band or the Red Cliff Band shall not exceed a term of ninety-nine years, but shall grant the Secretary the option of renewing the lease for as long as the lands are used as part of the lakeshore;

(c) In order to facilitate the acquisition by exchange of the lands within the boundaries of the lakeshore that are held by the United States in trust for the Bad River Band or the Red Cliff Band or held in trust or in a restricted status for individual Indians of said bands, the Secretary may acquire by negotiated purchase any lands, or interests therein, outside of the lakeshore boundaries. Lands so acquired may be exchanged for such Indian lands on an approximately equal-value basis, but if the properties are not of approximately equal value the Secretary may accept cash from, or pay cash to, the grantor in order to equalize values;

(d) In order to provide substitute lands for the Bad River Band and the Red Cliff Band or for individual Indians of said bands in cases where their lands are acquired for the lakeshore, the Secretary may, from funds made available to him by such band of Indians, acquire by negotiated purchase any lands or interests therein outside of the boundaries of the lakeshore: *Provided,* That title to such lands shall be held by the United States in trust for the band or the individual Indians involved;

(e) With respect to any lands acquired by the Secretary under this Act that are within the boundaries of the lakeshore and within the boundaries of the Bad River or Red Cliff Indian Reservations, the Secretary may sell such lands to the respective Indian band at fair market value if he finds the sale will consolidate the Indian holdings and will facilitate the administration of the lakeshore: *Provided,* That as a condition of the sale the Secretary may acquire from the vendee a leasehold interest in order to use the land as part of the lakeshore; and

(f) In exercising his authority to acquire by negotiated purchase any land within the boundaries of the lakeshore that is held in trust or in a restricted status for individual Indians, the Secretary may, in cases where a particular tract of land is so held for more than one Indian, acquire such land without the consent of all of the beneficial owners if the acquisition is agreed to by the owners of not less than a 50 per centum interest in any land where ten or fewer persons own undivided interests or by the owners of not less than a 25 per centum interest in any land where eleven or more persons own undivided interests. The Secretary may represent for the purpose of this subsection any Indian owner who is a minor or who is non compos mentis, and, after giving such notice of the proposed acquisition as he deems sufficient to inform interested parties, the Secretary may represent any Indian owner who cannot be located, and he may execute any title documents necessary to convey a marketable and recordable title to the land.

SEC. 5. Within the portions of the Bad River and Red Cliff Indian Reservations that are included in the lakeshore, recognized members of the Bad River and Red Cliff Bands shall be—

(a) permitted to traverse such areas in order to hunt, fish, boat, or gather wild rice or to obtain access to their homes or businesses: *Provided,* That in order to preserve and interpret the historic, scenic, cultural and other outdoor features and attractions within the lakeshore the Secretary may prescribe regulations under which the area can be traversed;

(b) granted the first right of refusal to purchase any timber if the Secretary determines that the harvesting or removal of timber is necessary or desirable;

(c) granted, to the extent practicable, a preferential privilege of providing such visitor accommodations and services, including guide services, as the Secretary deems are desirable: *Provided,* That such a preferential privilege will not be granted unless the visitor accommodations and services meet such standards as the Secretary may prescribe;

(d) granted employment preference for construction or maintenance work or for other work in connection with the lakeshore for which they are qualified; and

(e) encouraged to produce and sell handicraft objects under the supervision of the Secretary.

SEC. 6. The Secretary shall, to the extent that appropriated funds and personnel are available, provide consultative or advisory assistance to the Bad River and Red Cliff Bands with respect to planning facilities or developments upon their tribal lands which are outside of the boundaries of the lakeshore.

SEC. 7. Subject to such regulations as the Secretary may prescribe, the recognized members of the Bad River and Red Cliff Bands may use without charge any docking facilities within the lakeshore that are operated by the Secretary.

SEC. 8. (a) The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the lakeshore in accordance with the appropriate laws of Wisconsin to the extent applicable, except that he may designate zones where, and establish periods

when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities.

(b) Except for such regulations as the Secretary may issue under authority of this Act, nothing in this Act shall affect the existing rights of members of the Bad River Band or Red Cliff Band to hunt, fish, trap, or to gather wild rice.

SEC. 9. The lakeshore shall be administered, protected, and developed in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

SEC. 10. (a) In the administration, protection, and development of the lakeshore, the Secretary shall adopt and implement, and may from time to time revise, a land and water use management plan which shall include specific provision for:

(1) Protection of scenic, scientific, historic, geological and archeological features contributing to public education, inspiration, and enjoyment;

(2) Development of facilities to provide the benefits of public recreation and a scenic shoreline drive on the Bayfield Peninsula;

(3) Preservation of the unique flora and fauna and the physiographic and geologic conditions now prevailing on the Apostle Islands within the lakeshore: *Provided,* That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, scientific and archeological features of the Apostle Islands through the establishment of such trails, observation points, exhibits, services as he may deem desirable; and

(4) Preservation and enhancement of the unique characteristics of the Kakagon River and Bad River Sloughs.

(b) With respect to the portion of the lakeshore located within the boundaries of the Bad River Indian Reservation such land and water use management plan shall provide for—

(1) public enjoyment and understanding of the unique, natural, historic and scientific features through the establishment of such roads, trails, observation points, exhibits, and services as the Secretary may deem desirable; and

(2) public use and enjoyment areas that the Secretary considers especially adaptable for viewing wildlife: *Provided,* That no development or plan for the convenience of visitors shall be undertaken in such portion of the lakeshore if it would be incompatible with the preservation of the unique flora and fauna or the present physiographic conditions.

SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The editorials presented by Senator NELSON are as follows:

[From the Ashland (Wis.) Daily Press, Aug. 30, 1965]

HIT AND MISS ABOUT TOWN

(By Norrie Swanson)

The publicity given the proposed national park area for the Apostle Islands was tremendous all over the United States. The Milwaukee Journal, one of the Nation's best publications, gave it as much space as it would have the same proposal been for the Milwaukee area.

If this thing goes through, and it looks like there is nothing to stop it, it'll be a feather in the hat for U.S. Senator GAYLORD NELSON, who was Wisconsin's Governor when he first fostered this program that will certainly be a boost to the economy of the Ashland-Bayfield County region. There were some objectors Saturday when the proposal was explained, but those seemed to be more from a selfish standpoint and from those who were not fully aware of the plan.

Fishing and hunting rights will not be denied to any degree that it would hurt anyone, so I for one sincerely hope the plan will meet favorable response in Congress, where Senator NELSON now has to bring the measure. The complete survey has been completed and there is no denying from the facts and figures presented by the experts of the benefits that will be derived for the north.

Senator NELSON plans to present the measure to Congress within a week or so. No doubt it will take until 1966 when action will be taken. It requires an act of Congress to establish the proposed park. Let's keep plugging it and I'm sure we'll reap some sort of benefit by having a national park in our backyard.

[From the Portage Daily Register, Aug. 30, 1965]

GREAT OPPORTUNITY

There is a unique opportunity in Wisconsin and the large part of credit for it goes to Senator GAYLORD NELSON.

Ever since he was Governor, NELSON has promoted the idea of an Apostle Island National Park. Now it is official. Senator NELSON has proposed a 57,500 acre project that would include 30 miles of Bayfield County shoreline with 20 wild offshore islands and 10,000 acres of wild rice marsh interlaced by two rivers.

What possible relevance would this project have for Portage? Such a question is justified and though the answer seems clouded by the hundreds of miles between the Apostle Islands and our city and county, there is a very valid rational for the Nelson project.

The national park, as outlined by Senator NELSON, would cost $11 million. It would require buying a very small percentage of privately owned lands. It would take from the county tax rolls in the north some $6,000 in taxable property. This is a small amount however, when we compare it to the projected $7,250,000 that economic studies estimate the national park would generate in spending within the area in 1 year.

The park would require an estimated 21 full-time employees and 50 part-time employees with an annual payroll of $350,000, not including the privately operated concessions in the park nor the many private lodgings outside the park area that would serve to house those people coming to the Apostle Islands.

Further, when it is fully developed, according to NELSON and studies made by the Department of Interior, the park would attract 920,000 visits per year. These people would have to pass through Wisconsin, and, more important, some of them would pass through Portage and Columbia County. We would then in a very materialistic and emperical sense derive direct benefit from the money that these many additional tourists would spend.

As important as the economic factors, however, there is the overriding consideration of conservation. The Apostle Islands are a unique natural phenomena. Their beauty is certainly unmatched anywhere, and, as the Department of Interior said in a field study report, "There is no comparable area on the Great Lakes."

The proposed park would tie together the conservation and recreational purposes of the Apostle Islands and the shore line opposite them. It would preserve, as Senator NELSON indicated, a "rare and priceless resource."

Neither the State of Wisconsin nor the counties involved can supply adequate funds, personnel, or knowledge to preserve and maintain the Apostle Islands area as could be provided through the efforts of the Federal Government. When we have the opportunity for a Yellowstone or a Glacier type national park, when we have the area that warrants such attention, then we have no alternative but to wholeheartedly support Senator NELSON and his proposal for this most worthwhile project.

[From the Wisconsin State Journal, Sept. 1, 1965]

NELSON PROPOSAL MERITS SUPPORT—APOSTLE ISLAND RECREATION PLAN

Senator GAYLORD NELSON may have been just a bit immodest, but he was also accurate in calling his Apostle Island National Lakeshore proposal "the greatest recreational project ever proposed for Wisconsin."

The visionary proposal covers 30 miles of Bayfield County shoreline, 21 wild offshore islands, and a 10,000-acre wild rice marsh interlaced by two rivers.

Anyone who has visited the area—and this must mean the great majority of State residents—could not fail to be impressed and charmed by its character.

It has a wild beauty that is found nowhere else in the State. It has a rocky and fascinating history of Indian wars, early exploration, fur harvest, and occupation by a rugged people who stayed to develop a fish and lumber economy.

It is a land and a water area that the State must be proud to list as one of its top assets. State residents owe it to their grandchildren to see that it remains a top asset and is not ground to pieces under the ruthless heels of civilization. It must be preserved as a land of beauty and solitude that is so necessary if man is to refrain from jumping off the edge of the earth in screaming panic.

The Nelson proposal seems the best way to do it. It deserves and needs the support of every State citizen.

[From the Eau Claire (Wis.) Daily Telegram, Aug. 30, 1965]

APOSTLE ISLANDS AS NATIONAL PARK

Senator GAYLORD NELSON has undertaken a difficult project in seeking to have the Apostle Islands and adjacent areas made a national recreation area.

The park would include 21 of the 22 Apostle Islands under a plan worked out during the past 2 years with the assistance of the Interior Department which sent a task force to study the terrain.

The rugged, rock-ribbed south shore caught the fancy of the late President Kennedy who visited the area on one of his last trips to the State.

Many others see a great potential in recreational use of the area ranging from primitive wilderness zones on the islands to sections such as one proposed for the Bayfield Peninsula providing space for tents, trailers, marinas, swimming, fishing, hiking, and beachcombing.

University of Wisconsin economist I. V. Fine in a study of the proposed area estimates it will attract up to one million visitors a year when fully developed and generate around $7 million a year in consumer spending.

It is our belief the estimate is on the conservative side. A friendly ranger in Grand Teton National Park, Wyo., told us that around 2½ million visitors are using that park this summer. While the Apostle Islands area would require many years to become as well known as the Tetons, their accessibility to millions of midwestern citizens is much more immediate.

The area is 168 miles from Eau Claire; 42 from Milwaukee; and a nice day's drive on the interstate from Chicago at 432 miles—when the 4-lane freeways are completed.

Of the total of approximately 57,500 acres in the project along the lakeshore, 37.2 percent is publicly owned. About 19 percent is owned by Indians and the rest is privately owned. The latter property is generally either in seasonal cottages or hunting camps. Commercial enterprises are limited in number and size. There are 14 year-round residences.

Professor Fine is careful to note that the tax revenue lost to local governments if the project goes through on the basis of 1963 data would total less than $10,000. This figure would probably be lower because local units of government can continue to tax owners of property under the lease-purchase agreements commonly employed. Owners have use of the property for another 25 years.

He also notes that the increase in business and local employment is almost certain to offset tax losses.

It is doubtful if dollar-sign benefits were uppermost in the mind of President Teddy Roosevelt when he helped launch the national park system. This Nation can be proud of the beauty spots which were wisely set aside by earlier generations.

Senator NELSON's effort to preserve for posterity some of the majesty of the glacier-battered Laurentian Range; the wave-lashed Apostle Islands; and the rocky southern shore of Lake Superior will need broad support from Wisconsin residents if it is to become a reality.

[From the Chippewa Herald-Telegram, August 30, 1965]

A UNIQUE OPPORTUNITY

There is a unique opportunity in Wisconsin and the large part of credit for it goes to Senator GAYLORD NELSON.

Ever since he was Governor, Senator NELSON has promoted the idea of an Apostle Island National Park. Now it is official as Senator NELSON has proposed a 57,500-acre project that would include 30 miles of Bayfield County shoreline with 20 wild offshore islands and 10,000 acres of wild rice marsh interlaced by two rivers.

What possible relevance would this project have for Chippewa Falls? Such a question is justified and though the answer seems clouded by the hundreds of miles between the Apostle Islands and our city and county, there is a very valid rational for the Nelson project.

The national park, as outlined by Senator NELSON, would cost $11 million. It would require buying a very small percentage of privately owned lands. It would take from the county tax rolls in the north some $6,000 in taxable property. This is an infinitely small amount, however, when we compare it to the projected $7,250,000 that economic studies estimate the national park would generate in spending within the area in 1 year.

The park would require an estimated 21 full-time employees and 50 part-time employees with an annual payroll of $350,000 not including the privately operated concessions in the park for the many private lodgings outside the park area that would serve to house those people coming to the Apostle Islands.

Further, when it is fully developed, according to Senator NELSON and studies made by the Department of Interior, the park would attract 920,000 visits per year. These people would have to pass through Wisconsin, and, more important some of them would pass through Chippewa Falls and Chippewa County. We would then in a very materialistic and empirical sense derive direct benefit from the money that these many additional tourists would spend.

As important as the economic factors however there is the overriding consideration of conservation. The Herald-Telegram is most familiar with the Apostle Islands. They are a unique natural phenomena. Their beauty is certainly unmatched anywhere and as the Department of Interior said, in a field study report, "there is no comparable area on the Great Lakes."

The proposed park would tie together the conservation and recreational purposes of the Apostle Islands and the shoreline opposite them. It would preserve, as Senator NELSON indicated, a "rare and priceless resource."

Neither the State of Wisconsin nor the counties involved can supply adequate funds, personnel or knowledge to preserve and maintain the Apostle Islands area as could be provided through the efforts of the Federal Government. When we have the opportunity for a Yellowstone or a Glacier type national park, when we have the area that warrants such attention then we have no alternative but to wholeheartedly support Senator NELSON and his proposal for this most worthwhile project.

SBA SALE OF LOANS

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill, and ask unanimous consent that it be printed at this point in the RECORD.

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

The bill (S. 2499) to amend the Small Business Act to authorize issuance and sale of participation interests based on certain pools of loans held by the Small Business Administration, and for other purposes, introduced by Mr. PROXMIRE, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2499

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(b) of the Small Business Act is amended by deleting the word "and" before paragraph (9) thereof, and by adding the following new paragraphs:

"(10) notwithstanding any other provision of law, issue, offer, sell, guarantee, and purchase participation certificates evidencing a beneficial interest in principal and interest collections to be received by the Administration on obligations comprising loan pools established by it. Collection receipts allocable to the participations shall be set aside as a separate part of the revolving fund established by section 4(c) of this Act, and payments required on account of such certificates are authorized to be made from the revolving fund. Substitution or withdrawal of obligations in such pools may be made, but the amount, interest rates, and maturities of such obligations shall at all times be sufficient to assure all payments under the participations. Proceeds from sale of the participations shall be deposited in the revolving fund. Participations issued and guaranteed by the Administration shall be lawful investments, and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority and control of the United States or any officer or officers thereof. Such participations shall also apply to the same extent as securities issued or guaranteed by the United States or its instrumentalities be deemed to be exempt securities within the meaning of the laws administered by the Securities and Exchange Commission and of section 5136 of the Revised Statutes;

"(11) notwithstanding any other provision of law, set aside a part or all of obligations held by him and subject them to a trust and, incident thereto, guarantee payment thereof. The trust instrument may provide for the issuance and sale of beneficial interests or participations, by the Trustee, in such obligations or in the right to receive interest and principal collections therefrom; and may provide for the substitution or withdrawal of such obligations, or for the substitution of cash for obligations, but the amount, interest rates, and maturities of such obligations shall at all times be sufficient to assure all payments under the participations. The trust instrument may also contain other appropriate provisions in keeping with the purposes of this paragraph. Notwithstanding any other provision of law, the Federal National Mortgage Association may be named and may act as trustee of any such trusts and, for the purposes thereof, the title to such obligations shall be deemed to have passed in trust: *Provided,* That the trust instrument shall provide that custody, control, and administration of the obligations shall remain in the Administrator subject to defeasance in the event of default or probable default, as determined by the Trustee, in the payment of the beneficial interests or participations. Notwithstanding the provisions of section 4(c) hereof relating to the payment of collections into the revolving fund established by such section, collections from obligations subject to the trust shall be dealt with as provided by the instrument creating the trust. The trust instrument shall provide that the Trustee will promptly pay to the Administrator the entire proceeds of any sale of beneficial interests or participations to the extent they are based upon such obligations or collections. The Administrator shall deposit such proceeds in the revolving fund. The Administrator is authorized to purchase outstanding beneficial interests or participations to the extent of the outstanding amount of his commitment to the Trustee. In the event that collections from obligations subject to the trust are insufficient to enable the Administrator to meet any of his responsibilities with respect to such beneficial interests or participations the Administrator may utilize any amounts available in the revolving fund to meet such responsibilities. There are hereby authorized to be appropriated to the revolving fund any amounts not otherwise available therein as may be required to enable the Administrator to meet any of his responsibilities with respect to beneficial interests or participation based on obligations set aside by the Administrator pursuant to this subsection."

SEC. 2. The first and last sentences of section 302(c) of the Federal National Mortgage Association Charter Act are amended by inserting "and other obligations" following "mortgages".

Mr. PROXMIRE. Mr. President, the bill would amend the Small Business Act and the Federal National Mortgage Association Charter Act to authorize issuance and sale of participation interests based on certain pools of loans held by the Small Business Administration. Proceeds from sale of the participations would be deposited in SBA's revolving fund for use in financing the agency's programs of small business loans, disaster loans, loans under the Economic Opportunity Act of 1964, development company loans, and loans to and debenture purchases from small business investment companies.

Though section 5(b) of the act confers broad authority on the Administrator of SBA to sell and deal with loans made by the Agency, there is some doubt as to the extent to which this authority would support the issuance of participation securities based on such loans. The bill would specifically authorize issuance and sale, either directly by SBA or through the Federal National Mortgage Association—FNMA—on behalf of SBA, of participation certificates representing beneficial interests based on principal and interest collections to be received on account of certain loans held by SBA. It is believed that such participation certificates would be more readily salable to banks and other investors than individual SBA loans in many cases.

The bill contains two basic provisions, one authorizing participations issued by SBA and the second authorizing SBA and FNMA to enter into a trust agreement providing for the issuance of FNMA participations based on obligations held by SBA. Alternate availability of the two procedures would be advantageous in enabling choice of whichever method appears most appropriate at particular times in view of SBA's current loan portfolio, the condition of the financial market, and other administrative considerations. It is expected, however, that at least initially the FNMA route will be utilized, in view of FNMA's experience and acceptance in the securities market.

PARTICIPATIONS ISSUED BY SBA

The bill would authorize SBA to set aside as a separate part of its revolving fund, collections of principal and interest on certain pools of its loans which the agency would establish. SBA would then issue, offer, sell, and fully guarantee participation certificates evidencing a beneficial interest in such collection receipts. The agency would also be authorized to purchase such participation certificates, and if necessary to utilize any part of its revolving fund for payments required on account of the certificates. Proceeds from sale of the participations would be deposited in SBA's revolving fund.

Such participations would be lawful investments and could be accepted as security for all trust, fiduciary, and public funds, the investment or deposit of which is under the authority and control of the United States or any officer thereof; would be exempt securities within the meaning of laws administered by the Securities and Exchange Commission to the same extent as securities issued or guaranteed by the United States or its instrumentalities; and also would be exempted from certain restrictions placed on bank securities activities by the Federal banking law. These exemptions and investment attributes for SBA participations would be similar to those which have already been provided by statute for the FNMA participations discussed below.

PARTICIPATIONS ISSUED BY THE FEDERAL NATIONAL MORTGAGE ASSOCIATION

The bill would also clarify SBA and FNMA authority to enter into a trust agreement, under which the Federal National Mortgage Association as fiduciary would sell and guarantee its participation certificates based on principal and interest collections to be received on loan obligations held by SBA. Title VII of the Housing Act of 1964 authorized FNMA to enter into such agreements with respect to certain first mortgage obligations, and the bill would extend this authority to other types of obligations held by U.S. Government agencies.

Under this arrangement, SBA would set aside certain of its loans, guarantee them, and subject them to a trust. FNMA, as trustee, would issue its participations based on such obligations and on the right to receive principal and interest collections therefrom. FNMA would pay to SBA the proceeds from sale of such participations for deposit in SBA's revolving fund. The revolving fund could be utilized for payments on account of the certificates, and SBA would be authorized to pay FNMA appropriate expenses incurred pursuant to the agreement and to purchase when necessary outstanding FNMA participations issued on SBA's behalf. Such FNMA participations would have investment attributes and exemptions similar to those described above for SBA participations.

As indicated below, collections from loans set aside for pooling would supply ample funds to meet payments on the FNMA or SBA participations issued. However, the bill also provides a special authorization for appropriations to the extent any additional amounts required were not available in the revolving fund.

DESCRIPTION OF POOLING AND PARTICIPATIONS

The loan pool established by SBA under these authorities would be required, of course, to contain loans whose principal and interest collections would be ample to meet payments due on participations issued for the Agency. It is anticipated that the outstanding principal amount of loans in the pool would substantially exceed the amount of participations issued. While all types of obligations held by SBA may be included, it is probable that a majority of the loans in the pool would be business loans and development company loans. Substitution of loans would be made if determined to be necessary or desirable.

Current plans call for sale of approximately $350 million of participations during fiscal 1966 if the legislation is enacted. At present, no determination has been made concerning the terms and features of participations to be offered. This, of course, would depend on such factors as conditions in the financial market, and the most suitable arrangement from the Government's viewpoint.

AUTHORIZATION FOR FOREIGN RELATIONS COMMITTEE TO INVESTIGATE THE LEGALITY OF SHIPPING RESTRICTIONS ON WHEAT

Mr. SYMINGTON. Mr. President, in the absence of the distinguished junior Senator from South Dakota, and in that I fully agree with the purport of his proposal, I submit on behalf of Senator McGOVERN and myself the following resolution and ask for favorable Senate action thereon.

I ask unanimous consent that the full text of the resolution be printed at this point in the RECORD.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 144) was referred to the Committee on Foreign Relations, as follows:

S. RES. 144

Whereas the Executive Branch of the Government of the United States requires that export licenses for shipment of wheat sold in regular commercial channels to Russia and satellite countries shall be conditioned on shipment of 50 per centum of such cargo in domestic carriers; and

Whereas the Senate is advised that the State Department has informed the Maritime Advisory Committee that such restrictions or preference provisions are in violation of our Government's commercial treaties with at least 30 nations, and

Whereas the State Department advised the Maritime Advisory Committee that extension of U.S. flag preference into the commercial trade area would arouse violent reaction among friendly nations and constitute a reversal of foreign policy of at least a century duration in relation to shipping discriminations; and

Whereas the imposition of such restrictions on licenses for commercial wheat export appears to constitute a clear violation of Sec. 3(c) of the Export Control Act of 1949, as extended and amended by Public Law 89-63 enacted by the present Congress: Now, therefore, be it

Resolved, That the United States Senate authorize and direct its Foreign Relations Committee to investigate as early as possible whether such shipping restrictions in relation to wheat constitute violation of treaties and law, and to report its findings to the Senate on or before October 15, 1965.

POPULATION BILL PUBLIC HEARINGS CONTINUED WEDNESDAY, SEPTEMBER 8, ROOM 3302, NEW SENATE OFFICE BUILDING—WITNESSES INCLUDE REPRESENTATIVES FROM DADE COUNTY PUBLIC SCHOOLS, MIAMI, FLA.

Mr. GRUENING. Mr. President, public hearings will continue tomorrow, Wednesday, September 8, at 10 a.m. on S. 1676, my bill to coordinate and disseminate birth control information upon request. The hearings will be held in room 3302, New Senate Office Building.

The Government Operations Subcommittee on Foreign Aid Expenditures will hear witnesses who are concerned about school problems in the Dade County Public Schools in Miami, Fla. Hurricane Betsy permitting, the subcommittee hopes to learn a great deal from the testimony of Superintendent Joe Hall, Chief of Planning and Policy Frank Sloan, and Chairman Jane S. Roberts of the Dade County Board of Public Instruction.

To round out the hearing the Subcommittee on Foreign Aid Expenditures has asked Mr. Clifford Nelson, president of the American Assembly of Columbia University, New York City, to describe in detail how the American Assemblies on Population have contributed to the population dialog throughout the Nation. Mr. Nelson will also discuss briefly the work of the American assembly in other lands.

MAYOR RICHARD C. LEE AND THE CITY OF NEW HAVEN

Mr. RIBICOFF. Mr. President, today's New York Times carries an outstanding story on the city of New Haven, Conn., which contains a lesson for every city in our Nation.

Under the brilliant and inspiring leadership of Mayor Richard C. Lee, New Haven has proved and is continuing to prove what America's deteriorating cities can truly become. I want to share my pride with my colleagues.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW HAVEN PURSUING THE AMERICAN DREAM OF A SLUMLESS CITY—THIRD OF AREA BEING REBUILT AT A COST OF HALF A BILLION

(By Samuel Kaplan)

NEW HAVEN.—The American dream of a slumless city may be fulfilled here.

About a third of this city—6 square miles—is being renewed at a cost that will exceed $500 million in public and private investments.

The result of $300 million spent in the last 10 years has changed the face of New Haven from one of downtown decay and festering slums to commercial complexes, modern housing developments and stately rehabilitated homes.

Court Street, a skid row 10 years ago, is now a prestige address. New, imaginative housing developments have attracted middle-class families back from the suburbs.

The commercial slums on Church Street have been replaced by gleaming stores. Land values downtown have doubled. And the hum and clatter of construction is everywhere.

Though the large slums of crumbling tenants, clapboard shacks and firetrap factories are gone, there are still a few small pockets of decay—shabby, overcrowded frame buildings second-and-third-generation welfare cases and low-income Negro families, recent migrants to this city of 152,000.

OFFICIALS CONFIDENT

But in city hall on Church Street, and in Washington, officials are confident that New Haven has perfected the tools of urban renewal, combined them with an imaginative antipoverty program and is well on the way to victory.

"I think New Haven is coming closest to our dream of a slumless city," Robert C. Weaver, Federal Housing and Home Finance Administrator, said recently in an interview. Most housing experts across the country agree.

"It is like a dream. Everything is done with as much style," said a member of a New York City community planning board after a recent tour. "If only New York had half of New Haven's imagination and a quarter of its spirit."

Civic pride is everywhere.

Taxicab drivers occasionally put their fare flag down and drive out of the way to show a curious visitor a new building. Elderly persons sit on benches in the city green and marvel aloud at a 14-story renewal project rising to the east. Boccie players outside a community center halt their game to give a detailed history of how their neighborhood was renewed. And Yale professors reflect favorably upon it all.

A GREAT RENAISSANCE

Reuben A. Holden, secretary of Yale, called the renewal program "a great renaissance for the city" and said the university was proud to be a partner in it. A number of professors and university officials serve the city as consultants.

No one interviewed was more enthusiastic than Mayor Richard C. Lee, who has been the prime force behind the renewal program for the last 12 years.

"We are restoring an elegance and style to this city," he said in a somber, formal tone. And then he broke into a smile and added: "And it's fun, exciting to think what can be done."

He spoke about a planned cultural center, experimental low-income housing, a new, integrated cooperative, employment programs for dropouts, new schools and—most of all—a community spirit that has allowed his planners to exercise their imaginations.

NEW GRANT DUE

Despite its size, New Haven ranks only behind New York, Chicago, and Philadelphia in total Federal grants received for urban renewal. So far the Housing and Home Finance Agency has channeled and earmarked about $75 million to the Connecticut port city.

On a population basis, New Haven ranks first in the country, with Federal urban renewal grants averaging $458 for each resident. The figure for New York City is $31.

New Haven will soon receive another grant, to begin the new Federal rent subsidy program for low-income families. It will involve moving 200 families into private housing.

The families apply 21.8 percent of their income to rent, with the Federal Government paying the landlord the difference between that amount and the actual rental. That means, for example, that if a family's total monthly income is $300 and its rent is $85 a month, it pays the landlord $65.40 and the Government adds $19.60.

Mayor Lee, in a move typical of the city's attitude of taking advantage of every available Federal program, went to Washington to apply to the Public Housing Authority the day the program was signed into law early this month. Approval is expected within 3 weeks.

"We don't like to waste time," he said.

POLICY IS UNUSUAL

The new program is consistent with the city's unusual policy of trying not to move low-income families into low-income projects. Only low-income housing for the elderly has been constructed in renewal areas.

Melvin J. Adams, administrator of the city's redevelopment agency, explained that when houses had to be demolished, residents were dispersed to foster integration and prevent the creation of new pockets of slums.

He said that a major problem in the Dixwell area, a community just north of the Yale campus now undergoing renewal, was the concentration of 900 low-income families in a large housing project built before Mayor Lee took office.

To offset the project, a 129-apartment cooperative was built in the neighborhood. An additional 81 units of middle-income housing is planned for the area, as is extensive rehabilitation of privately owned homes.

Edward Cope, head of the agency's Dixwell office, reported that 253 buildings containing 758 apartments were being rehabilitated. The office assists owners by giving architectural advice, locating reliable contractors and helping them to obtain mortgages, once a problem in this predominantly Negro neighborhood.

REHABILITATION THE KEY

According to Mr. Lee, the key to the city's housing renewal program has been the rehabilitation of structurally sound, but deteriorated buildings. More than 7,500 buildings have been rehabilitated in the last 10 years.

The Wooster Square area, just south of the business district, is cited by the city as the best illustration of its renewal program and its goals.

Ten years ago the area around the square, an old Italian neighborhood, was fast slipping into decay. But though its crumbling brownstones, tenements, and old factories were ripe for the bulldozer, only the worst buildings were demolished and close to 1,000 were saved through rehabilitation.

This would have been enough to save the physical community, but the city added a few touches that has lifted its renewal program out of the ordinary.

It sought leading architects to design new housing on the site of demolished buildings, encouraging them to use their imagination to scale the developments to the surrounding homes. It set aside land for a sitting park, and brought in Hideo Sasaki, the landscape architect, to design it. And it sought off-street parking to clear the residential streets of parked cars.

CENTER IS DESIGNED

To encourage a neighborhood identity, it selected the site of a burned-out factory where 15 persons had died and had the architectural concern of Skidmore, Owens & Merrill design a community center and school.

The center is a small city in itself. Besides the school, it includes a library, community meeting rooms, a youth center, city social service offices and a center for the elderly.

Wooster Square is now considered a desirable neighborhood. It has attracted back some of the middle class the city was losing to the suburbs and, through its moderate income developments, has brought the first Negro families into the area.

The city now hopes to repeat its Wooster Square success in Dixwell. Similar renewal plans, calling for rehabilitation, a mixture of housing and community facilities, are being developed for the Newhallville and Dwight sections.

Not to get into a rut on housing renewal formulas, however, the city has contracted with Ludwig Mies van der Rohe, the architect, to design a varied housing development on 20 acres southwest of the downtown area.

LOCAL ARCHITECTS USED

City officials note that west of the site will be a new high school designed by Eero Saarinen and Associates shortly before the architect's death.

The city also has used local architects, notably Paul Rudolph, former dean of Yale's School of Architecture. His midtown parking garage and low-income housing project for the elderly in the Dwight section are distinct, if not controversial designs.

"It certainly adds some excitement to our skyline," commented Mayor Lee.

The city's housing renewal projects almost completely surround the business district, which is undergoing vast renewal itself.

A 14-story office building, a 319-room hotel, and a public plaza soon will complete the front block complex which already includes two new department stores, Malley's and Macy's and a new First New Haven National Bank. Also to be added to the skyline will be the Knights of Columbus international headquarters, a 26-story stark, modern structure.

The Southern New England Telephone Co. already has completed its office building and work will soon be finished on the State mental health building and the Yale University epidemiology and public health building.

LUXURY APARTMENTS BUILT

To the north, two high-rise luxury apartment houses with a total of 518 units have been filled. A third will soon rise, as well as two smaller apartment houses.

To accomplish all this, the city has had to relocate 5,200 families, a third of which it said were single persons. In the process, social problems were uncovered that the city found itself ill-equipped to handle.

With the help of $2.5 million from the Ford Foundation in 1962, the city established the Community Progress, Inc., a forerunner of an antipoverty program, to provide social services such as youth employment programs, prekindergarten schools, and legal aid. It is now the city's antipoverty program and operates on a $10 million budget.

Businesses also had to be relocated, so the city created its business relocation office, the first in the country, to offer financial aid and advice. It then created industrial parks on the outskirts of the city as a home for most of the displaced businesses.

With an air of confidence, Mr. Lee and his staff keep coming up with projects. Now in the planning stages are renewal programs for the Hill and Fair Haven sections. Both will probably emphasize rehabilitation.

The State Street area, in the south of the business district, also is under study. Tentative plans include a new civic center, office buildings, a shopping plaza, and a cultural center. I. M. Pei, the architect, has been hired as a consultant.

The only area untouched in the middle of the city is the 18-acre village green, set aside for public use in 1638, and Yale University, whose cloistered colleges lie north of the green.

Mayor Lee assured an interviewer that the city had no plans for either of these.

THE CITY OF HARTFORD AS AN EXAMPLE FOR AMERICA

Mr. RIBICOFF. Mr. President, the September 21 issue of Look magazine has an outstanding article entitled, "Our Sick Cities and How They Can Be Cured." This is must reading for all of us who are concerned with the future of urban America. John Peter did a great reporting job on our cities and their needs.

I am proud that special mention has been made of both the cities of Hartford and New Haven, Conn. As a resident of Hartford, I am pleased with the attention given Hartford as one city's answer to downtown decay. Indeed, civic pride in my native city is high, and the article explains the reason for it.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OUR SICK CITIES AND HOW THEY CAN BE CURED

(A profile of the city created for Look by Ben Shahn and by John Peter)

(NOTE.—Our cities are seriously sick but not hopelessly sick. Many of us are worried, and some of us are ready to give cities up for dead. This issue is about people who find them still very much alive and people who are determined to make them better. The health of our cities represents one of the gravest challenges in the second half of the 20th century.)

EVERYBODY'S GOING TO TOWN

There has been so much talk lately about what's wrong with our cities that some people forget what's right about them. Our cities are sick and running a high fever, but the report of their death has been greatly exaggerated.

When some of us were young, a favorite high school debate topic was "Would you like to live in the city or the country?" It's not much of a debate any more. Seventy percent of us have voted overwhelmingly for the city, and future ballots will swell the urban total. Cities have problems because nearly everybody in the world has decided that in or near a city is the best place on earth to be.

The city has always been the mainspring of civilization. It was the city that nurtured the arts, the commerce and the political freedom of Western man. People have always moved to the city because it maximizes opportunity. It is the escalator to a better life. Miserable as existence frequently is for the Negro in the modern city, he has no illusions that he or his children would be better off back on the farm.

In the American past, the agricultural majority viewed the town with deep distrust. At the time of our first census in 1790, 95 percent of us lived in rural places. There were only 2 cities with more than 25,000 people—New York and Philadelphia. Our Founding Fathers, determined to avoid corrupting city influences, planted the new Nation's Capital in the unspoiled countryside along the peaceful Potomac. Ironically, Washington, D.C., is now our ninth largest metropolis.

As recently as 75 years ago, two out of three Americans still lived in the country. But two powerful forces, long at work, were radically altering their world. The population explosion and the move to the city thrust Americans into a new age.

We are now a nation of 195 million people. Nearly half the people who have ever lived in the United States are alive today. Even with our decreasing birthrate, we should double in number to more than 400 million in just 50 years.

During the last decade, for the first time in our history, our rural population declined, despite surging national growth. As we continue to turn our farm into efficiently mechanized food factories, the end of the trend is nowhere in sight. Everybody's going to town. The combination of push and pull—push off the farm and pull to the city—has created unheard of urban density. Seventy percent of our urban population is concentrated on 1 percent of the country's total land area. The big squeeze is on.

The Census Bureau lists 225 metropolitan areas of 50,000 population or more. But many of these are already merging into one another to form strip cities, 13 of which contain half the population of the United States. The continuous urban spread from Boston to Washington, D.C., first described as megalopolis by the French scholar Jean Gottmann, is the wealthiest, most industrialized area on earth. So vast are its implications that Gottmann wrote that it "gives one the feeling of looking at the dawn of a new stage in human civilization."

Most of us think of the city in less glowing dimensions. To us, the city means the land within the city limits—the area under the jurisdiction of the mayor. Most often, we really mean the central city, the core city that is the heart of the metropolis, where urban problems are at their worst. Some experts have diagnosed the city's sickness as heart trouble.

Historically, the old center of the American city has always been the staging area where immigrants from abroad and migrants from our farms learned about urban life. The latest arrivals in our cities are every bit as useful to our society as the countless waves that preceded them. As University of Chicago sociologist Philip Hauser observed recently, "Every newcomer group was greeted in the same manner by people who had gotten off earlier boats—with suspicion, distrust, hostility and discriminatory practices. Micks, Krauts, dumb Swedes, Polacks, Chinks, Wops, Dagos, Bohunks—what ever happened to all that riffraff?"

Our newest newcomers have been living in our country for quite a while. In fact, some of their ancestors met the first boat. About 10,000 American Indians a year are leaving their reservations for the paleface city. They favor big cities like Chicago and Los Angeles. Old-line Americans, white and Protestant, are also coming down from the mountains to a homelike hillbilly slum in northern Chicago. They have been damned for the same social shortcomings usually associated with nonwhites.

The most numerous newcomers to the city have been the Negroes from the rural South. When a hard-pressed Harlem policeman urged a mob to "Go home, go home," from the back of the crowd came the reply, "We are home, baby." The core of the older big cities has become the home of our Negro citizens. The nonwhite population of the United States over the last 50 years has stayed at a fairly steady 10 percent, but now about three-quarters of them live in cities. American Negroes appear more numerous. More importantly, our discrimination is more visible. Out of backwater bondage, they have moved into the mainstream of American life. It is already beginning to carry them beyond the ghettos of the core cities to the middle-class outlying districts and the suburbs.

Too many, though, are trapped in the crumbling slum, while, like Mark Twain's ethical man (defined as a Christian holding four aces), we insist on a slow walk to the exits. It will be a long, hot decade for the city unless these Americans get the chance to move up in our society, and get it fast.

The swiftness of urbanization has left us with a national nostalgia for our rural past. "You can get the boy out of the country, but you can't get the country out of the boy" applies to a generation that was born in the country and moved to the city. Even a most urban-aware President and Vice President seldom fail to reminisce on their rural and small-town origins. Our flight to the suburbs is an understandable attempt to combine city benefits with country living.

Few urban subjects have been more misinterpreted than this move out. Unseemly eager pallbearers might have us believe that the city's life-giving population is ebbing away. The latest census figures show expected gains in all top 20 metropolitan areas except Pittsburgh. In over half of the 20 areas, the city counties have strongly outpaced their suburban counties. Chicago's Cook County, for example, gained nearly one-and-a-half times as much as all five of its suburban counties. New York City posted the largest national gain—more than all its populous four suburban counties put together.

THE CURES ARE NOT QUICK, CHEAP, OR EASY, BUT THEY ARE KNOWN

Something has happened, however, in some of our big cities that does not show up in the statistics. Since 1950, in New York, some 800,000 middle-class whites, traditionally the strength of the metropolis and its economy, have been replaced by 800,000 Negroes and Puerto Ricans who, for the most part, are unskilled or semiskilled. The middle-class white did not leave the metropolitan area, he just stepped across the city line. In the low-taxed, green suburban acres, both rapidly vanishing, he built a protected nest for his family, complete with churches, schools, and shopping centers. Park Forest's Illinois State Representative Anthony Scariano put it this way about the Chicago area, "We've become accustomed to thinking that Chicago is the place where we earn our living, and

the suburbs are the dormitory where we leave our wives alone in a nice safe place and the kids are in a lily-white community with good schools."

An undetermined number of young city families have been replaced by old folks, returnees from suburbia. The over-65 group in metropolitan areas has grown 45 percent in the last decade alone. Cities, not the publicized retirement villages, have become the home of our senior citizens. Today, our central cities contain a concentration of the poor, the elderly, and the discriminated against.

These problems bear down most heavily on one man—the mayor. As far as the city goes, every mayor well might have on his desk President Harry S. Truman's celebrated sign: "The buck stops here." One of our most cherished myths is that the buck also disappears here. Lincoln Steffens' charge of bosses, boodlers, and job sellers half a century ago is simply no longer true. According to Fortune, "The big city must rank as one of the most skillfully managed of American organizations—indeed, considering the problems it has to face, it is better managed than many U.S. corporations."

The modern mayor has the management skill of a corporation president. He is pressing into service the methods and equipment of modern industry. Mayor Sam Yorty's computers in Los Angeles now handle city statistics that one consultant calls nine times more complex that a Mars shot. The problem at most city halls is neither efficiency nor honesty, though hanky-panky persists in some spots. What every city badly needs is leadership with positive programs and action. Mayors like Richard C. Lee of New Haven, John F. Collins of Boston, or Detroit's Jerome P. Cavanagh (see "The Mayor Who Woke Up a City") have been able to mobilize their cities behind their efforts.

The undeniable truth is that we are loading our cities with burdens they were never created to carry. Local government spending has shot from $9 billion in 1946 to $50 billion today, and it looks as if that total may double by the 1970's. In seeking a cure to the sickness of our cities, we must sort out those problems for which cities are clearly responsible from those that stretch beyond their jurisdiction.

The one accurate index to our cities' responsibilities is the budget. Cities spend about half their money for education. We find a stock story of overcrowded facilities, substandard teaching, and outmoded methods. At its toughest, the situation is summed up by the remark of a tired Harlem teacher, "You don't worry about teaching these kids here. You just keep them from killing each other and from killing you." However, this classroom jungle is only part of the picture, even in the embattled New York City system. There are also the celebrated specialized schools like the Bronx High School of Science, with its record number of National Merit scholars, or the School of Performing Arts (see "A Teenager Tames the City"), as well as the City University of New York, which each year ranks first or second nationally in number of alumni who earn doctoral degrees.

Highways take the next slice of the American city's budget. Yet astronauts can make it around the world in the time it takes some suburbanites to get to work. Los Angeles allots 70 percent of its downtown land to the automobile—more space to cars than people. The freeway system to be completed in 1980 would, if straightened out, reach halfway across the United States. If all those who ride subways to Manhattan drove, their cars would fill a multilevel parking lot from the Battery to 60th Street. To date, the urban-traffic tangle has been matched only by harrowing statistics and stopgap solution. San Francisco's new billion-dollar rapid-transit system (see "Super Solution to the Traffic-Tangle") is an all-out try for a cure that everybody's watching.

Our cities are also responsible for the welfare of their citizens. In New York, responsibility means a bill for half-a-million people on city relief. City-budget planners know, too, that a cut in educational and welfare only ups the cost of policing. Our police departments vary from poor to good-and-improving. One reason for improvement is men like Chicago's able superintendent O. W. Wilson, former dean of the School of Criminology at the University of California (Berkeley), who feels that "the function of the department is to maintain an orderly society, not just to enforce the law."

These city-budget outlays for education, highways, health, welfare, and police, as well as other city concerns—water, pollution, housing, poverty, etc.—all extend well beyond the city limits.

Any schoolchild would assume that problems beyond the city's control would naturally be handled by the State. That youngster has a lot to learn. The political cards are stacked against the city, and the rural-dominated State legislatures have euchred it out of most everything, including its fair share of the State taxes. This fancy shuffle would seem a difficult trick for only 11 States have greater rural than urban population. It's frequently easy, because the suburbs often vote with the rural lawmakers, against their own city.

State legislatures have hedged our cities with jurisdictional restrictions. The football fans who roar for John Unitas (see "Big Man in Baltimore") know that the city of Baltimore also means Carroll, Howard, Anne Arundel and Baltimore counties, but the Maryland State Legislature has repeatedly refused the city the right to an earnings tax on the people of the area who work in the city. Legislators hamstring cities in countless other ways. In Massachusetts, statewide personnel laws with built-in preferences and qualifications make it difficult to hire competent municipal civil servants. Everywhere, State governments, by interference or neglect, are forcing urban chores on our Federal Government.

Even in Congress, we are governed by rural lawmakers. Over half the Members of the Senate and nearly half the Members of the House of Representatives have rural backgrounds. Senators, elected at large from the States, have been notably more responsive to our cities' needs than Representatives whose congressional districts can be gerrymandered by State legislatures. The balance may be changing with the battle over reapportionment in the wake of the Supreme Court's one citizen-one vote ruling. We are in the middle of a decisive struggle between rural and city interests.

The now open alliance between city hall and the Federal Government radically improves the prognosis for our cities. Some people who charge Federal intrusion forget it was Federal policy that subsidized single-family home ownership with FHA-insured loans, creating the postwar suburb and shrinking the city's tax base.

The problems of our cities "are, in large measure, the problems of American society itself," wrote President Lyndon B. Johnson, in submitting to Congress his request for a Department of Housing and Urban Development (HUD). Originally proposed by President Kennedy in 1961, the new Department will enable the Government to coordinate its efforts and give urban problems Cabinet-level attention.

Anyone who thinks that HUD won't change things fails to appreciate the Government's astounding new commitment to the city. A major national urban research project will be part of the Johnson legislative program next year. Vice President HUBERT HUMPHREY describes it in spacious terms: "We make the investment to put a man on the moon * * * We can also make the investment to help a man stand on his own two feet here on earth."

Few big-city subjects raise more dust than urban renewal. Critics argue that the renewal drive has eliminated far more homes than it has created; that the new homes have been for new people, not the dispossessed; that "cleaning up the slums" has meant building "sanitary slums." All these charges are serious, and all are substantially true. Urban renewal has frequently resulted in barracks ghettoes, like Chicago's Taylor Homes. But it has meant as well housing developments like Washington, D.C.'s Southwest (see "Leading Lady in Urban Renewal"), cultural projects like New York's Lincoln Center for the Performing Arts and commercial developments like Hartford's Constitution Plaza (see "One City's Answer to Downtown Decay"). Urban renewal has also provided the training field for a new kind of city specialist—the town planner. The talented list includes Philadelphia's Edmund Bacon, Boston's Edward Logue, San Francisco's M. Justin Herman, and Detroit's Charles Blessing.

Urban renewal has been one way that we have decided, through our elected representatives, to invest our national money in the salvation of our cities. To date, even with $4.7 billion already appropriated by Congress, we have scarcely begun. In the next 40 years, we will rebuild virtually the entire urban United States. Here, at the start of this task, we ought to be able to learn from our early mistakes in renewal and try to emulate our successes.

The help of the Federal Government is by no means limited to urban renewal. The $325-million Urban-Mass Transportation Act is city-focused. The aid to education program will mean $750 million for the cities. The billion-dollar poverty program, aptly described as human renewal, is virtually all education, and most of it for the city. Add the figures up, and the total means real help. "The city has lost its tax base," explains Senator ABRAHAM RIBICOFF, "and the Federal Government is helping to make it up."

Another hopeful sign is the recognition by responsible citizens that our cities can and must be saved. Pittsburgh, Philadelphia, and Wilmington are first-class examples of communities whose people are conducting a rescue operation. All America City Awards by Look and the National Municipal League each year have cited dozens of other cities and their citizens. Churchmen, businessmen, professionals, educators, and social workers have become rededicated urbanists. The activity of a single person like Houston's school board member Mrs. Gertrude Barnstone (see "A Lady Stirs Her City's Conscience") can rouse common concern for a city. In the search for the cure, one thing is certain—a city can only be saved if the people care to save it. An increasing number of people do care. They are at last becoming actively involved, instead of just passively lending their names to civic organizations and city commissions. The cures for our cities are not quick, cheap, or easy, but they are known.

Today, we are witnessing a historic change in the size and purpose of our cities. They are rapidly losing their age-old manufacturing and warehousing function. They are becoming the idea, management and decision headquarters. Their libraries, laboratories, museums, and universities make them the cultural, educational, and communication centers of our age.

9 of our 20 largest cities are west of the Mississippi

City and rank, 1965	Population		Rank, 1940
	1965	1940	
1. New York, N.Y.	7,809,197	7,454,995	1
2. Chicago, Ill.	3,674,668	3,396,808	2
3. Los Angeles, Calif.	2,726,917	1,504,277	5
4. Philadelphia, Pa.	1,964,464	1,931,334	3
5. Detroit, Mich.	1,738,620	1,623,452	4
6. Houston, Tex.	1,013,277	384,514	21
7. Baltimore, Md.	933,390	859,100	7
8. Cleveland, Ohio	924,233	878,336	6
9. Washington, D.C.	802,154	663,091	11
10. St. Louis, Mo.	768,777	816,048	8
11. Milwaukee, Wis.	759,857	587,472	13
12. San Francisco, Calif.	755,122	634,536	12
13. Dallas, Tex.	696,667	294,734	31
14. Boston, Mass.	683,253	770,816	9
15. New Orleans, La.	674,589	494,537	15
16. San Antonio, Tex.	653,542	253,854	36
17. San Diego, Calif.	647,743	203,341	43
18. Phoenix, Ariz.	604,010	65,414	104
19. Pittsburgh, Pa.	570,489	671,659	10
20. Seattle, Wash.	563,215	368,302	22

This shift has intensified the problem of the disenfranchised in our cities. Today, the downtown office industries demand high skills. The low-skilled jobs are moving out of town, leaving the untutored behind. Jobs are critically essential because they mean not only income, but self-esteem. Education is the key to jobs in the changing city and throughout our new society. With modern skills learned, today's slum dwellers may become tomorrow's suburbanites, living where their jobs have gone, while suburban executives return to the pleasures and conveniences of urbanism.

What we have mistaken for sickness is the fever of change. If all this change disturbs you, know that it probably disturbs your children less. Change comes easier to those under 25, who now constitute nearly half the population of the United States. When we fear for the future of the city, we should not underestimate the young or the rest of us. As Buckminster Fuller remarked recently, "Today, we can do anything Buck Rogers can do and do it better."

DETROIT'S JERRY CAVANAGH—THE MAYOR WHO WOKE UP A CITY

In 1961, when 33-year-old attorney, Jerome P. Cavanagh decided to run for mayor of Detroit, the city was noted for three things: automobiles, bad race relations and civic sloth. Against the odds and without the support of labor or business, independent Democrat Cavanagh who had never held elective office, bulled his way to an upset victory. Detroit has not been the same since. This city that wallowed in the trough of urban chaos has come to know Cavanagh as a driver with vigor, imagination and competence. To wake Detroit, Cavanagh cleaned out a swarm of city hall drones, brought in a bright young cadre of high-geared executives and plunged feet first into an administrative swamp that had mired many of his predecessors. To help solve the city's problems, he persuaded automobile industry bigwigs that Detroit's health was essential to theirs, got the labor unions to back his reforms and convinced the Negro third of the city's population that they were, at last, part of its concern.

"YOU HAVE TO PUSH A LITTLE BIT"

Jerry Cavanagh's day begins at 9 in the morning and sometimes ends at midnight. From breakfast to late night drinks, it is entirely political. Every chance encounter is a source of information, an opportunity to try out a new idea. Cavanagh wants results, and by now, everybody in city hall is keenly sensitive to that demand. "We have the 'strong mayor' type of government here," he says, "and I intend to use every moral and legal power the office possesses." Cavanagh replies to each piece of mail that comes into his office. He farms out complaints to his subordinates and insists on answers. If a department head is slow in following up, a fast blast issues from the mayor's office. "I guess I'm a little abrasive at times," Cavanagh says disarmingly, "but in this job, you have to push a little bit." His "pushing" is driving "Wheel Town" to a new pride in itself.

Jerry Cavanagh is a man who wears success like one of his well-tailored suits. He works hard to get it, and he expects it. Four years ago, Cavanagh, then 33 and a prosperous member of a Detroit law firm, scanned the political horizon in his native city and decided it was time to make his move. Detroit's problems were those of other large American cities: burgeoning blight downtown, the white flight to the suburbs, a dwindling tax base, a high crime rate, rising unemployment and a big budget deficit. A bog of civic lethargy discouraged potential industrial newcomers and alienated the automotive giants already there. Detroit had another, special problem: flammable tensions between its police department and the one-third of the city's 1.7 million citizens with black skins. After several murders of white women in Negro areas, Cavanagh's predecessor, Louis Miriani, had ordered a police crackdown. In the ensuing police drive, Negroes were indiscriminately frisked on the street, dragged into police stations, held on vague charges. The black ghetto boiled.

Cavanagh, 7 years out of the University of Detroit's Law School and a political amateur who had never held an elective office, decided to run against Miriani. His reason: "I thought I could win." Almost nobody else did, including many of Cavanagh's friends and exschoolmates who volunteered to work in his campaign. Detroit's newspapers, business and labor leaders backed the incumbent against the upstart, while Cavanagh's team relied on nickels and novenas, a gut-busting campaign and the Cavanagh instinct that Detroit was ready for something new. Negroes voted overwhelmingly for the young Irishman, and white voters swung to him, too, if not as heavily. He won by 42,000 votes, and Detroit's engine got itself a spark plug.

"The first 6 months were crucial," he explains. "We were out to establish our attitude. Since we didn't owe anything to anybody, we could swing from the floor." Amid the anguished wails of commuters, he successfully sponsored an income tax on everyone who worked in Detroit. By the end of this year, the tax revenue will have erased the $34.5 million budget deficit he inherited when he took office. Cavanagh also cut the city's property tax. "I think these things have helped give the conservative element in the business community greater confidence in our administration," he now says, adding wryly, "when I was elected, I think they thought I was going to blow up the City-County Building. Cavanagh has issued an executive order against racial bias in hiring and promoting city employees, appointed Negroes to important positions in his administration, recruited a police commissioner who shared his ideas about enlightened police procedures. (Until Cavanagh named a Negro police inspector, there had never been a Negro above lieutenant on Detroit's force. Negroes comprise over 30 percent of the city's population, but only 3 percent of its police force.) While Cavanagh made it plain that "If you want to be paid like pros, you've got to act like pros," he has raised police salaries 25 percent during his 4 years in office. He has also upped the salaries of other city employees.

In one of his first encounters, he locked bumpers with labor unions whose featherbedding and excessive charges had discouraged industrial exhibitors from using Detroit's $55-million convention center, Cobo Hall. After he threatened to do the work with city employees, the unions relented, and conventions are again filling Cobo Hall, bringing the city much-needed revenue. To provide the drive for the Cavanagh crusade, the young mayor has shaken up bureaus and departments, axed some of the deadwood and installed his own men, many of them young shakers cut to the hustling Cavanagh pattern. "He's an easy guy to work for," says one of his small band of idea men, "as long as you do a superb job."

Part of Detroit's problem was that most of its automobile executives lived, not in the city, but in its comfortable suburbs and felt the city's headaches were not theirs. Cavanagh campaigned tirelessly to alter this view. "The slums of Bloomfield Hills (a sleek suburban community) are right down here in Detroit," he told one group. To widen the pool of talent available to the city administration, he has persuaded industry and labor chiefs to lend some of their best men as consultants to the city. Even more important to a city with a chronically large unemployment roll, Cavanagh has helped convince auto firms that had been building plants in other parts of the country to build or expand in metropolitan Detroit. General Motors is putting up a $100-million factory in the area, and Ford has almost completed a new stamping plant that will provide work for thousands.

Attracting new industry to Detroit is high on the Cavanagh priority list. But even higher is what he calls "social renewal," a concerted attack by city agencies on the causes of poverty, disease, slum housing and other social ills. "There isn't a city in America that doesn't have a physical master plan," he explains. "What we don't know so well is how to live in a large American city, how to get on with each other, how to renew our human and social values."

To get his social-renewal program swinging, Jerry Cavanagh has relied heavily on Federal money. As the only elected official on President Lyndon B. Johnson's Metropolitan and Urban Problems Advisory Committee, he was well-placed to anticipate the Government's specifications for its antipoverty programs. It is no accident that Detroit officials were first in line with plans that dovetailed with ideas the committee had suggested, or that Detroit gets more Federal aid than any city except New York and Chicago. Detroit now has 21 urban-renewal projects underway, for which the United States will give $36 million: an umbrella-like and well-coordinated antipoverty program, an accelerated public works scheme, an outsized highway program, and a host of other plans largely reliant on Federal funds. Cavanagh's opponents have criticized him for relying on U.S. aid, but the mayor gives them short shrift. "We send billions to Washington," he says, "and we're entitled to some sort of return." His programs have recently brought the city awards for their comprehensive planning and architecture.

Cavanagh has not hesitated to take unpopular stands. "I'd like my epitaph to be 'We knew where he stood,'" he says. Against the advice of political experts, he endorsed "open occupancy" housing in a city whose voters passed a so-called "homeowners law," which in effect gave homesellers the right to refuse Negro buyers. A Catholic and the father of eight, he ordered "rethinking" in the city's health and welfare departments, which spurred them to come up with a birth-control program more radical than that of any other large U.S. city. He has rebuffed Negro leaders seeking a civilian police review board and a Catholic organization that wanted the city to fly a "One Nation Under God" pennant beneath the American flag on the City-County Building. Some old-line policemen grumble that he has tied their

hands by insisting that they use more tact in tense neighborhoods.

One of Cavanagh's biggest jobs has been to impart his sense of commitment to city employees, who have seen mayors come and go. "I have had to recognize that, philosophically, not all these people are marching under my banner," he says, "and for them, it is quite a change." How does he solve the problem? Richard Strichartz, an on-leave Wayne State University professor and ex-Cavanagh neighbor who is now city controller, says, "We try to identify the fulcrum of change—the people who can make a government stop or go. And we work to change their attitudes. We realize this is going to take time."

Jerry Cavanagh is a gregarious, informal mayor. He chats with city employees, local politicos, and passersby as he moves around trying out ideas and feeling the pulse of the large metropolis at the same time. "The response of the people is tremendous," he exclaims. "They say 'Somebody finally cares about us.'"

Detroit is a vibrant city these days. Not everybody has gotten what he wants, but most concede there is forward motion.

The Reverend James Wadsworth, head of the 22,000-member Detroit National Association for the Advancement of Colored People branch (the association's largest), says, "While Negroes have not deluded themselves that the Messiah has come, they know that we now have a mayor who at least recognizes that they are part of the city." At a $50-a-plate testimonial dinner for Cavanagh given by business and labor leaders, Leonard Woodcock, vice president of the United Auto Workers, said, "We are glad to have these nice things to say about the mayor now, because we didn't during the campaign. Fortunately, the people of Detroit were wiser than we were."

Jerry Cavanagh is not resting on his press clippings. "In this business," he says, "the field is strewn with the bodies of might-have-beens." But the newspapers, industry, and labor leaders who opposed him in 1961 are now supporting his reelection this fall. It's obvious that the mayor of Detroit is on the way up—and so is Detroit.

HIS KIDS WOULD RATHER SEE MICKEY MOUSE

As the duties of his office press more and more upon him, Cavanagh gets little time to spend with his family. His wife Mary, a former University of Detroit campus queen, avoids publicity as assiduously as the mayor courts it. She works hard to see that their eight children are not hurt by having a famous father. "They are used to seeing me on television," Cavanagh says. "They'd much rather see Mickey Mouse." Cavanagh says his wife "growls now and then" about his hectic schedule, but has accepted the demands political life makes upon him. Although he is an enthusiastic sports fan, sandlot baseball games with his boys have become infrequent, and proliferating banquets are adding pounds to his 6-foot frame.

ONE CITY'S ANSWER TO DOWNTOWN DECAY

Grass isn't growing in the streets of Hartford, Conn., but plenty of it grows high above them. Constitution Plaza, a great platform built above the traffic, raises city renewal to a new level. In a mutual benefit plan appropriate to a town famous for insurance, people on foot are safely separated from people in cars. With cars parked conveniently beneath, families are free to stroll among the gardens, shop in the stores, eat at a terrace restaurant and enjoy the fountain, sculpture, open space and shining architecture. The multiblock plaza has also lifted historic Hartford's formidable civic pride to a new high, triumphantly clearing the way for the return downtown.

A PLAZA TAKES TEAMWORK

Constitution Plaza is so overwhelmingly right in so many ways that a visitor might easily miss its most vital quality—its significance to the future of every city in the land.

The plaza is important because it demonstrates that the central city can be saved if responsible citizens act. First, Gladden W. Baker and Roger Wilkins of the Travelers Insurance Co. picked up the master plan drawn by architect Charles DuBose and invested $40 million to make it a reality. The next big step came when Phoenix Mutual Life Insurance Co. reversed its decision to move away from Hartford and projected its new, shipshaped headquarters as an extension of the plaza. Constitution Plaza proved to be just the vote of confidence in the city that was needed. Across the street from it, G. Fox & Co., the town's largest retailer, built a $12 million addition. Now under construction nearby is the new high-rise headquarters of Hartford National Bank & Trust Co. A half dozen blocks away, the Travelers has recently completed a giant computer center. But the spirit of renewal is by no means confined to commercial structures. Bulldozers have cleared the ground for twin apartment towers. Rensselaer Polytechnic Institute is at work on plans for a graduate division downtown. South of the plaza, the Wadsworth Athenaeum, one of the country's finest small museums, is adding a new wing and sculpture court.

Constitution Plaza is also important because it represents a renewal idea of critical value to our congested cities. The "platform principle" places a number of related buildings on a raised base, connected with service and parking areas underneath. It had a forerunner in New York's Rockefeller Center, with its subsurface pedestrian streets. Today, the platform approach is on the design boards in cities across the country—the Pennsylvania Avenue proposal in Washington, D.C., Philadelphia's Market Street East plan, Seattle's waterfront proposal, and San Francisco's Market Street mall. The platform, sorting out people and cars, is no cure-all, but Hartford is a daily demonstration of its worth.

The plaza is important, finally, because it is sufficiently complete to walk through and appreciate. But other downtown projects have not been laggardly. In many centers—Philadelphia, Baltimore, Providence, Boston, Cleveland, Detroit, and St. Louis—the rehabilitation of downtown, though still incomplete, has advanced further than even their own citizens realize. Downtown's new look is beginning to take shape. Factories and warehouses are disappearing. Living, shopping, office, entertainment, and culture centers are going up on landscaped plazas bounded by great loop highways. In Hartford, the visitor to Constitution Plaza can already see the multileveled cities of tomorrow reflected in its great glass buildings.

WISCONSIN MENOMINEES NEED HELP IN GOING ALONE

Mr. PROXMIRE. Mr. President, in 1961, the Menominee Indians of Wisconsin became the first, large Indian tribe to be completely separated from reservation status. The separation was highly controversial. Many of us felt at the time that it was far too abrupt, and that seriously inadequate provision was made for the Indians. These people had by treaty been ceded their reservation—with Federal protections assured—in return for vastly larger areas which had been theirs.

Since the termination, the Menominees have been making a remarkable effort to make a go of a very difficult situation, but they are plagued with lack of skills, with heavy unemployment, with a tax base pitifully inadequate to pay their school costs and with tragic health problems, including a heavy incidence of tuberculosis.

My colleague, Mr. NELSON, has introduced a bill to assist the Menominees with educational and health grants. The bill has little chance of passing before next year. Meanwhile, it is essential that the Government, through its vast resources—newly infused with legislative authority and funds—assist these needy people, and do so promptly.

This morning, the New York Times published a moving and detailed description of the Menominees' plight. Because the New York Times is, of course, not interested in any special pleading for Wisconsin, this objective analysis should persuade Senators and Representatives of the genuine and immediate need.

I ask unanimous consent to have the article written by Donald Janson, entitled "Tribe in Wisconsin, Deprived of Special Status, Seeks Help in Going It Alone" printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 7, 1965]

TRIBE IN WISCONSIN, DEPRIVED OF SPECIAL STATUS, SEEKS HELP IN GOING IT ALONE

(By Donald Janson)

KESHENA, WIS., August 29.—Overcoming great odds, the Menominee Indians are making a painful but increasingly successful transition from life on a reservation to self-reliance and self-government.

Formidable obstacles remain, however, and the feeling here is that a substantial infusion of Federal aid is needed to keep the Menominee experiment from faltering.

In 1961 the Menominees became the first tribe of any size to lose its status as a ward of the Government. The reservation became Menominee County, Wisconsin's 72d, its smallest and one of its poorest.

Congress adopted a policy in 1953 of moving "as rapidly as possible" to make Indians "subject to the same laws and entitled to the same privileges and responsibilities" as are applicable to other citizens of the United States.

EXPERIENCE IN LUMBERING

Because the Menominees had experience in lumbering and the wealth of a great forest on their 234,000-acre reservation here in northern Wisconsin, they were selected to be the first to emerge from the shelter of Federal supervision, which they had had for more than a century.

When the county was created, a corporation, Menominee Enterprises was established as owner of the land and operator of the saw mill at Neopit. The 3,270 members of the tribe became shareholders and bondholders and delegated voting power to a board of directors. They bought their home sites from the company. A county government was set up, with Keshena the seat.

Problems were drastic and immediate. The Menominees had to close their only hospital. It did not meet State standards, which had not been a problem when the Menominee people lived apart from State government.

The Indians balked at paying taxes. They never had paid them before. Some could not afford to without eating less. There still is much tax delinquency.

Most of the tax burden, monumental for a county of such sparse population and limited income, falls on the corporation. As principal land holder and sole industry, it bears 92 percent of the county's tax load

This year its tax bill was 49 percent of its net operating income.

WILL TURN A PROFIT

Despite this wholly abnormal expense, the company has been ably managed and this year will pull out of the red for the first time.

It employs 350 persons, but does not have enough jobs to go around. The unemployment rate is 18.1 percent, compared with a State average of 3.7.

The Indians would like to diversify their lumber industry, as their competitors have. If they had the money to make the initial investments, they believe they could produce other wood products profitably, including veneer, charcoal from bark and sawmill waste and chipboard for insulation.

They see a glimmer of hope in legislation that has been before Congress since May. It would finance a study of expansion possibilities in the timber industries and another in development of the scenic county for recreation. It would provide $5 million in long-term, low-interest loans to carry out recommendations of the studies.

It would also provide about $3 million for health, education, and welfare.

PROSPECTS DIM

Prospects for passage are reported to be dim, but the sponsors have placed compelling data on the record.

A study earlier this year by the Bureau of Indian Affairs found that to provide services formerly given by the Federal Government, the county had a budget that already exceeded its statutory taxing capacity.

In addition to heavy unemployment, the report found average family income below Federal poverty levels, families well above average in size, a high student dropout rate, welfare payments sapping the county budget, and tuberculosis and diabetes too common.

"One could hardly imagine a set of consequences," it concluded, "that more clearly confirms the unwisdom of saddling full responsibility for local government services upon a small and poor community almost entirely dependent upon a single industry of modest scale and profitability."

There is no incorporated village in the county, no high school, no drugstore, no movie theater or bowling alley, no doctor.

Mrs. Elaine W. Neta, the county nurse, attributed the special health problems particularly to overcrowded living conditions.

Mrs. Neta, a native of Neopit, said a public health service survey this year found 34 persons living in 1 house and 22 existing on 1 income in another.

At first the Menominees despaired of overcoming the handicaps confronting them when Congress, rejecting a warning from the Wisconsin Legislature that the move was premature, insisted on making the Indians "first-class citizens" and cutting Federal costs in the process.

"It was like thrusting a child aside," said Father Marcellus Cabo, pastor at St. Anthony's parish church, the only one in Neopit. "There was a feeling of real anxiety. They were absolutely unprepared for self-government."

The Menominees bitterly resented the loss of their hospital and the failure of the Government to bring conditions up to State standards before abdicating responsibility.

Many still are bewildered over the loss of traditional hunting and fishing rights. This came as a particular shock.

FOREST FULL OF GAME

The Menominees' magnificent pine and hardwood forest is full of game. The wild Wolf River, which tumbles over falls and rapids and winds through sunny glades and deep woods, is one of the best trout streams in the country. The treaty with the Menominees gave them the game, the birds, the fish and the forests of their 234,000 acres forever.

"We needed it the way it was," said Jerome Sanapaw over coffee at the long, homemade kitchen table where he and his wife and some of their 10 children and 18 grandchildren eat.

"We could get plenty of fish and venison and bear meat then," he said. "Now we have to buy everything except in season. Now we have the same hunting and fishing limits on our own land as people from outside."

Mrs. Sanapaw said it meant the family sometimes had to go hungry.

Her husband works on the roads for the county. The couple boards elderly Indians on welfare for extra income. For more room, they have made a bedroom of a bathroom. Their toilet is outdoors anyway. They haul their water from a pump a mile away. Milk is seldom on their budget.

"At 23 cents a quart," Mrs. Sanapaw said, "we can't afford it."

VIOLATION CHARGED

A group led by Mrs. Constance Deer charges that termination violated the Indians' treaty rights, which gave them trust status and perpetual title to their reservation land, a fragment of the 11 million acres of Wisconsin and Michigan they once roamed as hunters and fishermen and harvesters of wild rice.

The Menominees never willingly agreed to termination, Mrs. Deer said. Her group, a small one, is urging repeal of the Menominee Termination Act signed by President Dwight D. Eisenhower in 1954.

Other Indians are resigned to the change but regretful about the way things have turned out.

"It was our way of life," said Mrs. Dolores Boyd, a descendant of Chief Keshena. "We are pushed very hard to live like white people now. It is tragic to see a race of people die."

Since termination she has operated a lunch counter, the only restaurant in the county seat, to make a living and help her daughters through school.

"Termination would have worked much better if it had come gradually," said Mrs. Ernie Goodwill, who was born on the reservation 63 years ago. "We were forced into it. We were misled. We were fooled."

MILL MODERNIZED

Despite their disappointment at the abrupt loss of essentials for which they had long relied on the Government, Menominee leaders resolved to do the best they could.

They nearly depleted their financial reserves to modernize the mill and hire expert outside management aid. The president of the company is a white lumberman, Samuel Clements.

As time passed more Indians have moved up to supervisory jobs. Sales have grown each year. The operation is a success and the Menominees are proud of it.

The company also sees income potential in the lease of sites on wooded Menominee lakes to outsiders for summer homes. The objective is a broader tax base. Several leases have been negotiated.

"People still are not happy about all we lost," said Deputy Sheriff Monroe Weso, "but things are beginning to jell now."

"We are doing things," said Ronald Frechette, 31-year-old member of the county board. "In the past the Government always did our thinking."

AIDED FRENCH EXPLORERS

Names such as Frechette and Grignon are common among the largely Roman Catholic Menominees. Members of the tribe met, aided, and intermarried with French explorers who came to their land with Father Nicollet two centuries ago.

Mr. Frechette noted that 37 attractive new frame homes had been built with Federal Home Administration financing. Before termination Indians could not establish credit for such undertakings.

New businesses have been started, including small stores, bars, gasoline stations, a motel, a laundromat. Two families have become building contractors.

The mill is on two shifts and paying union wages. Anyone driving by can see steam shooting skyward 16 hours a day, hear the big saws sing, and watch the yellow tractors scurry about with claws full of logs.

"I have every confidence that we will make it if the bill before Congress passes," said Mr. Dickey. "It could put the county on a sound financial footing for the first time."

"The wishful thinking about turning the clock back to the way we used to live is fading," he went on. "In the large majority of the community now there is definitely a realistic will to do."

L.B.J. OPENS ALL DOORS TO NEGOTIATIONS IN VIETNAM

Mr. PROXMIRE. Mr. President, there may continue to be teach-ins on Vietnam this fall and winter. Out of this discussion I hope will come some useful ideas as well as the predictable criticism. Academic critics of the administration's policies on Vietnam should be fully aware of the remarkable efforts President Johnson has made to secure negotiations.

Mr. President, I doubt whether there has been a time in history when an American President has gone so far to secure negotiations—to stop the fighting on honorable terms—as has President Johnson with regard to Vietnam.

In a recent column published in the Chicago Sun Times, Roscoe Drummond details just how—as he puts it—no door is closed. All avenues are open.

I ask unanimous consent to have the column written by Mr. Drummond, entitled—"All Doors Open to Viet Talks," printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Chicago Sun-Times, Sept. 6, 1965]

ALL DOORS OPEN TO VIET TALKS

(By Roscoe Drummond)

WASHINGTON.—With the help of Senator MIKE MANSFIELD—an Asian expert in his own right—President Johnson has now opened all doors to a negotiated settlement of the war in Vietnam.

Speaking for the White House as well as for himself, MANSFIELD made it clear that all roads lead to the conference table and that by taking any one of them Hanoi can have peace instead of war.

There are three such roads to negotiation and all are acceptable to the United States:

First. We will go to the conference with or without a cease-fire, with or without a truce. We'll negotiate under either circumstance. Hanoi can choose. We prefer a cease-fire, but don't insist upon it.

Second. We will go to the conference table without any advance commitment as to what either side would accept as a settlement. We would not be committed to the conditions which Hanoi might want. Hanoi would not be committed in any way to the conditions we would want. Namely, "unconditional discussions."

Third. We are also willing to go to the conference table after a careful review of positions on both sides to see whether a basis for agreement is conceivable before formal discussions begin. Namely, condi-

tional discussions, if Hanoi prefers it that way.

No door is closed. All avenues are open.

It was this third door on which the Democratic Senate leader rapped the hardest.

MANSFIELD compared the objectives outlined by Mr. Johnson in various speeches and the objectives set out by Hanoi on April 12. He found that on three out of four stated objectives both sides were in substantial agreement:

On the right of the people of South Vietnam to have a government of their own choosing without violence or coercion from any quarter.

On the right of the people of North and South Vietnam, on the basis of a peaceful, free, and verified plebiscite, to decide whether to unite or not to unite the two halves of the country.

On the desirability of having all foreign bases and troops removed from both South and North Vietnam after peace is restored.

Either side might phrase these conditions of peace in different terms, but basically each is saying the same thing. This is why MANSFIELD says he sees a narrowing of the issues and hopes that his effort to narrow the dispute will show Hanoi that there is a basis for early negotiation.

A wide difference does exist on one objective: Hanoi wants the Communist Vietcong to have a decisive or major role in any government in South Vietnam and the government of South Vietnam doesn't want any part of the Vietcong. That's what the war is all about. We're prepared to leave this issue to the verified decision of the people of South Vietnam—if Hanoi is.

The MANSFIELD speech did two other things:

For the United States it closed off the most serious chink in the unity of the Democratic Party in support of the President's military actions in Vietnam. MANSFIELD has been a partial critic and, more recently, a reluctant advocate of the President's course. His latest speech shows that Hanoi might as well give up its hope that disunity within the United States will force the Government to stop defending South Vietnam.

For Hanoi, the MANSFIELD speech might add credibility to Mr. Johnson's repeated willingness to negotiate. The Communists have been saying that the President's talk of peace was only a coverup for his desire for war. Not true.

And MANSFIELD, speaking as one who opposed the air raids to the north, makes the peace overtures even more meaningful.

GOOD START FOR HEAD START

Mr. PROXMIRE. Mr. President, the brickbats continue to fly at the antipoverty program in spite of an impressive and heartwarming record of accomplishment.

Seldom have we had a domestic program designed to help people escape from the chains of ignorance that bind them to poverty like Operation Head Start. Little children, who otherwise would, in many cases, have faced a lifetime of difficulty, just because schooling and the facilities of our culture were so strange to them, are going to have a real chance. Not just a few such children, Mr. President, but half a million of them.

This program has been a smashing success, one of which all American can be proud.

I ask unanimous consent to have an article analyzing the program published in Sunday's New York Times, entitled "Education: Good Start for Head Start" printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EDUCATION: GOOD START FOR HEAD START

(By Fred M. Hechinger)

The United States last week took a historic step toward the extension of school by at least 2 years, beginning at age 3 or 4 instead of the traditional 5 or 6. This may be the eventual effect of President Johnson's announcement that Project Head Start, introduced this year as a short-term summer program for underprivileged youngsters, will be turned into a permanent part of the educational system.

The Head Start summer project, which ended a week ago, was attended by nearly 560,000 children at 13,400 centers in 2,500 communities. It provided an introduction to group activities, art, music, books, and speaking skills and stressed various aspects of getting ready for school. It offered free lunches and medical checkups.

A preliminary report showed that 70 percent of a large sample of children had their first medical and dental examination during the project. In one center, at Tampa, Fla., 12 tubercular cases were found and 50 youngsters were found to have nutritional deficiencies.

Dr. Vera John, of Yeshiva University, said that visits to 14 centers in New York, South Dakota, and California showed the most striking result to be the involvement of parents from minority groups.

A New York staff member commented on the openness of the project. "Mothers came with baby carriages," she said. She added that, in addition to an official ratio of one professional teacher for every 15 children, there was a huge support force of aides, teenagers, college students, and volunteers.

"How can I go back to my crowded classroom after this?" was a typical question among the teachers in the project.

The original program is a form of educational lifesaving. President Johnson described it as the path of hope for youngsters who had been "on the road to despair." But the extension of preschool education beyond the summer, as a continuing, all-year operation, is probably the prelude to a change in the school-starting age.

This is not as revolutionary as it sounds. The children of the well-to-do and of many child-oriented, middle-class families already attend private nursery schools, at least from age four. With the children of the poor now also going to school, the majority of middle- and lower middle-class parents will soon expect the same opportunities for their children.

The reasons for the lowering of the school age are not the same for all segments of society. Today children with a comfortable home environment are exposed from infancy to a variety of educational influences. Few educators appreciate the change brought about by television. The around-the-clock impact of words illustrated by pictures is to the old reading and learning "readiness" exercises what a space ship is to the horsedrawn carriage.

NARROWING THE GAP

In addition, today there are more college-trained parents than there were high-school-graduated families at the turn of the century. The result is much conscious or unwitting home-teaching at an early age.

This widens the gap between the affluent majority and the disadvantaged minorities. Head Start was a last-minute effort to help deprived youngsters to make that gap less forbidding. The permanent preschool program, which is already being tested on a small scale by some communities, including New York, and which the President's announcement turned into a regular adjunct to schooling, aims at narrowing the gap systematically before going into formal schooling.

A major element in such instruction would be to give slum children verbal facility and the security that comes from contact with sympathetic adults in a friendly setting. These are prerequisites both for mastery of such academic skills as reading and writing and for the acquisition of social skills which replace aggressive and destructive behavior.

For privileged and underprivileged children alike, much of the preschool experience is an effort to teach self-centered little animals how to function as individuals as well as members of a group.

These considerations were undoubtedly in the minds of the educational experts who persuaded President Johnson to take quick post-Head Start steps. These steps are:

1. To establish all-year centers for disadvantaged children from the age of 3, with an expected enrollment of 350,000 needy children in the coming school year and many more within the next 5 years.

2. To offer summer programs for those who are not included in the year-around centers.

3. To initiate a follow-through program for the Head Start children, including home visits, special tutoring, and a careful observation throughout the first grade. For this purpose, Head Start teachers have prepared reports on every child, to be given to the first grade teacher.

The official enthusiasm over the preschool program is understandable at a time when the social dynamite of the Negro slums must be defused. Faith in education as the great social healer is deeply rooted in the American philosophy. It is a faith proven justified again and again—from the night school for immigrants to the impact of the land-grant colleges.

But many experts, including some who are deeply committed to preschool education, are troubled by potential confusion between humane hopes and excessive claims.

President Johnson said that Head Start, "which began as an experiment, has been battle-tested—and it has been proven worthy." But in the view of many experts the question which has not been "battle-tested" is how the preschool experience can be so intensified that it will wipe out handicaps of deprivation, not momentarily but permanently. There is already some experimental evidence that children, who have had preschool opportunities, backslide again rapidly in second and third grade unless highly skilled teachers can continue to guide them and their families.

Dr. Bernice Fleiss, early childhood consultant to New York's operation, said: "Many of the children at the beginning of the summer did not know the names of parts of their body—or even their own name. Now, they know not only what their chin is, but who they are. They have an enlarged knowledge the world around them and the desire to learn more this coming fall."

But this also implies how important it is that the world around these children—in and out of school—be changed so that it will not wipe out short-term gains through long-term futility.

Preschool experts warn privately—they do not want to curb the enthusiasm for the essentially sound movement—that the only way to avert disillusionment, after a head start of hope, is to grasp the magnitude of the task.

They call for more pretesting of children than has been possible in the first, hastily planned round.

More important, they warn that local communities, States, and the Federal Government ought to prepare the public for the extent of the cost in personnel and operations that must be invested if preschooling is to be more than a flash of hope.

For example, New York City had a Head Start enrollment of about 27,000 this summer. But its year-round preschool experiment had, after 2 years grown only to 7,000. During the summer regular teachers and college students are readily available and school facilities are otherwise largely unused.

Yet many communities have not even begun to provide kindergartens in the regular school structure.

The chronic ills of the schools have largely resulted from large classes. What if Head Start graduates move into such classes?

Last week, as Head Start's success was hailed, a less enthusiastic report was issued on a related enterprise—"Higher Horizons." Introduced in 1959 in some of New York's slum schools and hailed throughout the country, the enrichment program appears increasingly to have relied on its slogan and publicity value—without the support in funds and staffing that gave it promise as a well-funded pilot project.

"School is a place that families have begun to trust as an institution for the first time," said a consultant to the New York Head Start program last week.

If this implied criticism of the regular school system is justified, then the optimism based on preliminary Head Start reports will have to be tempered by concern over the total task of education ahead.

VIEWS ON PROGRAM

An official report on Head Start last week included these comments:

A teacher in Kiln, Miss.: "The Negroes and whites are working beautifully together."

From a consultant's report: "There's not too much difference between little Phillip who * * * had to climb a narrow, steep footpath each day (in New Mexico) and then be driven 25 miles to his first Head Start class and Manuel, the tiny Puerto Rican boy who came to his first class stark naked except for his pencil and notebook."

A parent-coordinator in New York: "We have made more progress in 6 weeks than we have been able to make with parents in 4 years."

RISING ENROLLMENTS

The U.S. Office of Education predicted last month that school enrollments will set another record. Last week similar projections were made by the Roman Catholic parochial schools.

Out of a total public and private elementary school attendance of 35,900,000 the parochial schools expect to account for 4,593,000 children, a 1-percent gain over last year.

The Roman Catholic high schools project a 1,124,000 enrollment and a gain of 3.4 percent over the previous year. The Nation's total high school enrollment, public and private, for 1965–66 is set at 12,900,000.

RICKOVER ASKS TEACHERS STAY IN TEACHING

Mr. PROXMIRE. Mr. President, a great breath of fresh air has been blown into American education by Adm. Hyman Rickover, that iconoclastic devotee of education, who has so persuasively deplored the terrible tendency of educators to get lost in the forms, procedures, and mechanics of education, and to forget the basic life of the mind—the great human culture on which our progress is based and on which our future depends.

Ralph McGill recently discussed this Rickover contribution in a recent column. Mr. McGill points to the recent Rickover testimony calling attention to the consequences of Government and industry taking professors out of teaching and into Government or industrial work, which exacerbates an already serious shortage.

I ask unanimous consent to have Mr. McGill's column, entitled "Young Geniuses Still Need Schools," printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Sept. 2, 1965]

YOUNG GENIUSES STILL NEED SCHOOLS

(By Ralph McGill)

Henry Thoreau entered the following in his journal of January 1, 1853:

"After talking with Uncle Charles the other night about the worthies of the country, Webster and the rest, as usual considering who were geniuses and who not, I showed him up to bed, and when I had got into bed myself, I heard his chamber door open after 11 o'clock, and he called out in a stentorian voice, loud enough to wake the house, 'Henry. Was John Quincy Adams a genius?' 'No, I think not,' was my reply. 'Well, I didn't think he was,' answered he."

Uncle Charles was satisfied, accepting the word of his nephew—whom later generations came to view as at least something of a genius. Time was when the popular concept of a genius was that of a more or less eccentric person who invented something novel, exciting, and useful.

But in our time the broadening of science in our daily life, accelerated and underscored by the marvels of the space age, has enabled us to note that there are many geniuses about. Indeed, a large majority of the students admitted to such an institution as the Massachusetts Institute of Technology may be described accurately as young geniuses.

Demands of science, industry, and the humanities, however, have revealed a need for educational reform in method and curriculum in the elementary and secondary grades. The already serious shortage of teachers is sure to be at a critical point in our colleges and universities by 1970 or sooner.

Adm. Hyman Rickover, an admitted critic of American education, provided testimony at hearings on the Higher Education Act of 1965 that brought new focus on yet another controversy. He strongly criticized the policy of industry and government of luring off professors from both undergraduate and graduate level to serve as consultants. In his testimony the admiral said:

"The primary function of educational institutions is to pass on to our children the intellectual heritage of the past, and in so doing to develop their mental capacities. Institutions at the university level—that is in graduate studies—have the additional responsibility to reinterpret and expand existing knowledge—to engage in what is properly speaking academic research. Such research does not interfere with, indeed it enhances, the education of students who have completed their general education and are specializing in a particular professional field. But the student gains nothing and loses much when his professor goes off consulting government or industry, leaving him to be tended by a substitute, all too often a graduate student working while he writes his doctoral thesis.

"It is generally recognized that we have a shortage of first-rate liberal arts colleges and graduate universities; the shortage springs basically from a lack of qualified professors. We shortchange our youth when we exacerbate the already existing deficit by deflecting college and university professors from their proper task. We adults have been complacent, but the students feel bitterly about this. Much of the research being done for the Government is of dubious value to the student, possibly also to the Government, while the practice of using professors as consultants is wholly detrimental to the students for whom the college and the university exist."

Rickover advocated Government aid to teaching salaries so that the professors might be more ready to remain in teaching positions and not be tempted by consultant salaries of industry and Government.

Many educationists are made uneasy by Rickover. They try with little success, to discount him. He remains influential. His disclosures of the educational gaps in high school graduates who volunteered for service in nuclear submarines—and of the need to set up schools to teach them what their schools had failed to provide—led to considerable reform.

His congressional testimony and his continued writings and addresses on proposed reforms in higher education will be a healthy influence.

BIG BROTHER: OUR IMAGE ABROAD

Mr. LONG of Missouri. Mr. President, today's "big brother" item is an article from a newspaper in Brisbane, Australia, Sunday Truth, dated August 15, 1965.

I think this article should be read by all of those overzealous law-enforcement agents in the United States who are so enthusiastic about the use of electronic devices and techniques.

The image that their practices give to the United States abroad is certainly not very pretty.

One thing that should distinguish our democracy is a sense of urgency to protect the right to privacy of all citizens.

I ask unanimous consent to have this article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Brisbane (Australia) Sunday Truth, Aug. 15, 1965]

HUSH, HUSH, WHISPER WHO DARES, UNCLE SAM IS SNOOPING UPSTAIRS

(By Ian Moffitt)

WASHINGTON.—My contact turned up the car radio as we drove away from the State Department.

"They might have the car bugged," he explained.

This incident really occurred, and he was not joking.

Official snooping is all the rage here.

Branches of the Government have developed spying to an elaborate art, and industrial spies are not far behind them.

Snooping on one's enemies abroad is acceptable, and snooping to uncover criminals at home is downright admirable.

J. Edgar Hoover's Federal Bureau of Investigation in Washington, for instance, is trapping criminals with fantastic new microscopes, electric currents, and ultraviolet rays.

It has a microscope which polarizes light when trained on rocks, soils, and natural and artificial minerals.

METAL TEST

Criminologists observe the absorption and scattering of light to determine the mineral composition of a soil sample and compare it with soil at the scene of a crime.

They also have an instrument which studies the microscopic structure of metals.

In one recent case they found that a tiny strip of chromed steel came from the trim along the left side of the radiator of a 1949 Plymouth car.

The FBI sends an electric current into pistols-bearing obliterated numbers to set up a magnetic field.

The magnetic field is distorted around the obliterated numbers because the original stamping has deformed the internal structure of the metal beneath.

So—hey presto—the FBI men pour a liquid containing fine magnetic particles over the pistol and the magnetic field arranges the particles in the form of the missing numbers.

That is just a sample of what the FBI is doing and nobody is complaining about it.

But protests are growing this week at the snooping habits of the State Department, the Internal Revenue Service, the Food and Drug Administration and other Government bodies.

The Senate internal security subcommittee, which is investigating Government invasions of privacy, has just released more details of State Department snooping.

PERSECUTION

That august department descended to telephone tapping to try to trap an allegedly disloyal employee—and even opened his safe at night with a high-speed drill.

The employee, Otto F. Otepka, is awaiting a departmental hearing against his dismissal in 1963 from his top-level security post within the State Department.

The Department has charged him with "conduct unbecoming a State Department officer" because he gave information to the subcommittee.

Several Members of Congress—including some on the subcommittee—are hitting back at the State Department with charges of persecution.

More disturbing than Mr. Otepka's alleged revelations to the subcommittee is the unbecoming conduct which his colleagues displayed as they played "I spy."

They sifted through special burn bags allegedly containing incriminating material and used medical science to help them open his safe.

They used a pharyngoscope—which doctors employ to peer down throats—to see how the tumblers were falling.

Another witness has astonished the subcommittee with revelations of Internal Revenue Service snooping to trap suspects.

An employee blandly confessed that he had passed a lock-picking course before embarking on wiretapping, car bugging, and other electronic eavesdropping.

This stanch public servant, James O'Neill, described how he had picked a lock in a Boston suburban office to place a wiretapping device.

A colleague described how an IRS officer had posed as a Coast Guard petty officer during a Boston investigation—in a conference room containing a two-way mirror, a lie detector and microphones in the wall plugs.

The IRS Commissioner, Mr. Sheldon Cohen, confessed to the subcommittee that 10 U.S. cities had IRS two-way mirrors and 22 cities had concealed microphones.

The Food and Drug Administration has an even worse record of officials scampering around the countryside wearing concealed microphones to gather evidence.

One team of them earned the subcommittee's censure for using concealed microphones in a supermarket while investigating the illegal sale of a milk substitute.

Industrial spies are also using sophisticated equipment to steal secrets—including listening devices in briefcases "accidentally" left in employers' offices.

A growing number of American businessmen are hiring professional spies or buying stolen information to keep pace with new products.

Paid industrial spies—generally former military intelligence operators—are undermining research and development projects to steal secrets worth millions of pounds.

They break complicated scientific formulas, send pretty women to gather information in fake surveys, and bribe telephone operators, janitors, and disgruntled employees.

INSIDIOUS

But the old art of wiretapping is perhaps their most widely used device.

A tap on the company president's phone allows a rival to beat him to the punch with new products.

Wiretapping is also the most alarming development in Federal Government snooping, the chairman of the Senate subcommittee, Senator EDWARD V. LONG of Missouri, has concluded.

It has become so insidious that President Johnson has ordered a stop to it except in cases of national security.

The old argument about when and whether one should wiretap has broken out here again.

Senator LONG, however, has no doubts about where he stands—or about how extensive the practice has become.

"The subcommittee has so far uncovered a variety of ways in which the Federal Government intrudes into areas of life that were formerly held private by Government agent and individual citizen alike," he said.

"None of the snooping techniques studied by the subcommittee has been more alarming than wiretapping.

"We have been told of Federal agencies using concealed tape recorders, hidden transmitters, bugged conference rooms, mail surveillance techniques, two-way mirrors, and other means to spy on American citizens who have not been convicted of any crime.

"Unethical and unsavory as these methods may be, none compares with wiretapping as an insidious encroachment on individual liberty.

"Wiretapping for domestic law enforcement should be prohibited."

THE CASPER TROOPERS

Mr. McGEE. Mr. President, the city of Casper, Wyo., and, indeed, all of Wyoming, is justly proud of a band of youngsters, the Casper Troopers, who have recently returned home from capturing the World Open Championship in drum and bugle corps competition.

Seven thousand of their fellow townsmen in Casper turned out last Thursday night to welcome the Troopers home after their triumph. But I think they were honoring them for something besides their victory. Their work, their dedication, and their determination, also were being honored. And so were the many adults, led by Director Jim Jones, who have given of their time, energy, and money to help the Troopers achieve their high success. It is more than a drum and bugle corps. It is, as it was described by the Casper Star-Tribune, a character-building activity and a source of pride to the city and the surrounding area. It is a source of pride, too, to any Casper youngster when he can make the grade with the Troopers, Mr. President, and the record of the organization clearly tells us why. It is an example to all.

Founded in 1957, the Troopers have not only drilled and disciplined themselves to near perfection for the sake of competition, but they have established another, more enviable mark. No regular member of the group has ever been in difficulty with the authorities, in Casper or elsewhere. And the Troopers have traveled far and near. Today the organization numbers 130 members. And it has many graduates.

Another facet of the Troopers' activities is brought out by their frontier uniforms. They are cavalry blue and the insignia are those of the 11th Ohio volunteers, the outfit of an heroic young officer who died while trying to relieve a beleaguered wagon train near the Platte Bridge Station in 1865. The young officer was Casper W. Collins, whose name has come down to us, misspelled, in the city of Casper. Today's Troopers keep alive this frontier tradition, Mr. President, and I want to say in offering my congratulations to them on this occasion, that it strikes me as fitting that the blue uniform of the 11th Ohio Volunteer Cavalry should return to Casper and glory and triumph on the centennial of Casper Collins' brave sacrifice on the banks of the Platte.

I ask unanimous consent that a news report and an editorial from the Casper Star-Tribune, marking the welcome extended the Troopers by the people of Casper, be printed in the RECORD.

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

GALA WELCOME SET FOR TROOPERS TODAY

(By Jack Fairweather)

"Mrs. Nixon and I shall always have the most happy memories of our snow-capped visit to Casper earlier this month. The splendid performance by the drum and bugle corps was certainly a highlight of the visit for us."

This excerpt from a letter by the then Vice President Richard Nixon to Jim Jones, director of the Casper Troopers Drum and Bugle Corps, in November 1960, is just one of many congratulations and honors received by the corps prior to and since the Nixon campaign stop.

The dream-child of Jones, a Casper contractor, the corps was organized and incorporated as a nonprofit organization in September 1957.

The purpose of the corps as originally described by Jones was to provide a character-building activity for Casper young people which would be a source of pride for the entire city and area.

Jones and his troopers, now numbering 130, have accomplished this and more.

No regular member of the troopers has ever been in difficulty with the authorities. They have traveled far and near in piling up honors for themselves and their city and acting as ambassadors of good will.

On August 21 they put the finishing touch on their 8-year campaign to reach the top. They won the World Open Drum and Bugle Corps competition in Bridgeport, Conn.

Today the Troopers are on their way home and tonight they will receive a well-deserved welcome by officials of their State and city.

Their homecoming started this morning in Sioux City, Iowa, where they received an honorary police escort from Morningside College to the city limits.

The Troopers have returned home triumphant several times in the past but this evening's welcome at the Natrona County High School auditorium is expected to surpass anything in past years.

The Troopers will be met in Lusk at 6 p.m. where the corps will take time out for a chicken dinner, courtesy of Rex Canfield of the Red Barn Restaurant.

At 8 p.m. the world champions are due to arrive at the NCHS Stadium where Secretary of State Thyra Thomson and Casper Mayor Patrick Meenan along with an expected 5,000 Casper residents will officially welcome them home.

As the Troopers disembark from the buses they will perhaps recall past welcomes in the

wake of victories at Las Vegas, Nev.; Seattle, Wash.; Denver; University of Colorado and Portland, Oreg. But tonight will, no doubt, be the one they'll remember the best.

The feeling of Casperites for their drum and bugle corps is summed up by the contributions of many persons who worked to organize this evening's activity.

Pacific Power & Light Co. donated the power for the use of the lights at the stadium, Casper Neon Sign is furnishing the labor and the talent to prepare a welcoming sign, the Mustangs gave up their crucial last practice before their first game of the football season and of course many, many people have worked on the arrangements for the welcome.

The "welcome home" program gets underway at the NCHS stadium tonight at 8 o'clock. The public has been urged to arrive early and bring their best cheering voices with them.

The Casper Star-Tribune has printed 700 extra copies of today's paper as a service to Trooper's parents and fans who will want to save the two-page "welcome home" tribute to the corps.

[From the Casper (Wyo.) Star-Tribune, Sept. 2, 1965]

WELCOME HOME

Presenting the Casper Troopers—National and World Champions.

It's welcome home tonight for a great group of young people who have achieved outstanding recognition for themselves, for Casper and for all Wyoming.

That there will be a large crowd of Casperites at tonight's ceremonies at the high school stadium, is without question.

The Troopers have come a long way since the organization was first incorporated as the Casper Drum and Bugle Corps on September 24, 1957. It was then, as it has been throughout the intervening years, under the direction of James E. Jones Jr., Casper contractor, who conceived the idea of such an organization under the sponsorship of the American Legion.

There was no great public fanfare in the earlier years, and then Casper residents began to realize that this music and marching corps not only was something new on the community scene but that it definitely offered a colorful new concept for parade and drill.

There were other drum and bugle corps in Casper and the region, but in the Troopers, dressed in their frontier cavalry uniforms, the city and the State could be proud of an organization that reflected the pioneer history of this part of the West.

Although the personnel has changed from year to year as members "graduated" and others came in to take their places, the Troopers as such have achieved distinction as a unit with permanent and close identification to the Casper community.

The honors which the Troopers have won this year reflect credit, therefore, upon all the Troopers who have been members of the corps from its beginning some 9 years ago. Although the emphasis at this time is on the World Open and the National Drum and Bugle Corps Championships, which have just been achieved, the history of the Troopers shows many other victories, near-victories and generally outstanding accomplishment.

No one need be reminded at this time that they have been great ambassadors for Casper. Their fellow townsmen will wish them many, many more years of success, and if they do not always win—as they cannot be expected to do in the accustomed order of things—they will receive no less the loyal support of their community.

UTAH TOURISM

Mr. MOSS. Mr. President, I am pleased to report that a recent survey of Utah tourism shows a rapid increase in the number of visitors to Utah attractions, many of which are being developed through Federal programs. The President's "See America First" campaign appears to have taken hold in Utah.

The survey was taken by the Associated Press. It shows an overall increase of 10 to 20 percent in visitors to Utah this summer. It shows an increase of 100 percent of visitors to Canyonlands National Park, which was created when Congress enacted my bill just last year. The National Park Service is now working on the development program for Canyonlands.

The survey further shows a 50-percent increase at Flaming Gorge National Recreation Area on the Wyoming-Utah border.

Flaming Gorge Dam and Glen Canyon Dam were constructed as a part of the Colorado River storage project, and both dams have created great lakes which have enhanced the natural beauty of their regions, as well as providing an opportunity for wonderful boating and fishing.

I ask unanimous consent to have printed in the RECORD following my remarks, a portion of an article appearing in the Deseret News, for September 2, which reported details of the Associated Press survey.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A 10-percent visitor increase estimated by President Howard Thorley of the Cedar City Chamber of Commerce.

"It looks like there's more tourists this year than any other year," Mr. Thorley said. "I think we need more motels in the future so we can pull some more tourists off the highways. Our facilities are filled every night."

Mr. Thorley said he noted a new influx of tourists from Eastern States. But he said 50 percent of Cedar City tourists are from California—with a large number from Nevada.

A 50-percent visitor increase estimated by Paul Larson, chief ranger at the Flaming Gorge Recreation project of the National Park Service.

FARTHER AWAY

"By early August we had as many visitors as we had all calendar year last year," Mr. Larson said.

He said the project had 155,000 visitors by the end of July—compared with 167,400 by the end of last year. He projected a visitor total between 225,000 and 250,000 by the end of this year.

"The bulk of use is from Utah and Wyoming," Mr. Larson said. "But we've noticed this year we're getting them from much farther away—Denver, Grand Junction."

An increase in the Manila District of Ashley National Forest near Flaming Gorge Reservoir is estimated by Jim Bossi, district ranger.

"I don't have the exact figures handy," Mr. Bossi said, "but we're ahead of last year."

SUMMER FLOODS

He said the increase was not as large as that in the neighboring National Park Service area—and blamed the drop on early summer floods in Sheep Creek Canyon.

"The Sheep Creek campgrounds were wiped out," he said, "and I think the National Park Service is getting some of its people from visitors who might have gone to the campgrounds."

An 11- to 12-percent increase of visitors to Zion National Park, estimated by Del Armstrong, chief ranger.

"We're about 45,000 persons ahead of last year," Mr. Armstrong said. "We should total about 750,000 for the year. Last year we had 705,000."

Mr. Armstrong said there has been a significant increase in the number of persons who remain in the park to camp.

BRYCE CANYON

A 26-percent increase in visitors to Bryce Canyon National Park, estimated by Chief Ranger Robert Morris.

"We should hit 100,000 for the month of August," Mr. Morris said, "compared with 73,000 last year." He said the park had about 300,000 visitors so far this year.

Mr. Morris noted an increase in cars from Eastern States. But he said most park travel is still from California.

A 100-percent visitor increase at Natural Bridges in Canyonlands National Park, estimated by Jim Randall, chief ranger.

"We have no figures for August yet," Mr. Randall said, "but our visitor total was very much increased since our creation as a park on September 12, 1964."

FOUR HUNDRED PERCENT

Mr. Randall estimated increases as high as 400 percent in some areas of the park.

A general impression that this year was a better tourist year than usual, by Keith Hunt, secretary-executive vice president of the Greater Ogden Chamber of Commerce.

Mr. Hunt attributed the increase to better weather, better national and regional advertising and a gradually increasing general flow of tourism. He said Ogden had more conventions this year than usual.

A 20-percent increase in tourists in the Logan area, estimated by Charles Buchner, president of the Cache Chamber of Commerce.

He said the increase was probably because of a general increase in travel, advertising signboards along highways in Nevada, Utah and Wyoming, and a brochure advertising the Cache Valley as a tourist attraction.

A 17-percent increase in Provo tourists, estimated by the Provo Chamber of Commerce. The chamber said it used figures from the Motel Owners Association in making the estimate.

THE DIRKSEN REAPPORTIONMENT AMENDMENT

Mr. ROBERTSON. Mr. President, if we adjourn this year without submitting to the States a constitutional amendment to modify the Supreme Court's far-reaching reapportionment decisions, we may face an unprecedented demand for the calling of a constitutional convention next year.

The High Court's so-called one-man, one-vote formula, requiring both branches of the State legislatures to be based on population alone, has created so much controversey that nearly two-thirds of the States already have petitioned Congress to take some action.

For the first time in many years, there is a widespread demand for the calling of a new constitutional convention, a step which has not been taken since the Founding Fathers met at Philadephia 178 years ago to draft the historic document.

There is some confusion over the exact number of States now on record as asking for a convention, but it appears to be somewhere between 24 and 27, depending on whether several uncertain cases are counted.

Several other States have memorialized Congress to submit a constitutional amendment to the States without calling a convention. If we fail to heed their plea at this session, these States may join in the call for a convention next year.

Article V of the Constitution says that, on the application of the legislatures of two-thirds of the States, Congress "shall" call a convention to consider proposed changes in the Constitution. Now that we have 50 States, it would require 34 petitions to place Congress under some legal obligation to consider the calling of a constitutional convention.

The law division of the Library of Congress, in a study completed on August 11, reports that, if the requests for a convention received in the 88th and 89th Congresses are combined, the total is 22 or 23 depending on whether Nevada can be counted.

In Nevada, the question is whether its petition to the 88th Congress has been superseded by one this year, which does not request a convention, but asks Congress to propose a reapportionment amendment.

The Senate Judiciary Committee has petitions from two other States—Georgia and Nebraska—asking for a convention on different subjects. Georgia wants the convention to deal with State control of public schools, and Nebraska wants to change the winner-take-all method of counting Presidential electoral votes in each State.

This would make the total number asking for a convention 24 or 25, depending on the status of Nevada.

New Mexico and Tennessee are reported to have passed resolutions this year, but the Library of Congress has not counted them because it has found no record of communications from those States to the House or Senate.

As of now, therefore, petitions from only 9 or 10 more States are needed to place before Congress a decision it has never had to make. If that many more States act, we will be traveling on an uncharted course, and a number of fine legal points will have to be answered.

One of the first questions to arise will be whether petitions can be counted if they were filed over a period of several years, and not just in this Congress.

Another will be whether they must be identical in form, or at least all dealing with the same proposed amendment.

The law division of the Library of Congress found a substantial number of authorities who agree Congress is not obligated to call a convention unless the petitions are "reasonably contemporaneous with one another."

One legal expert in the Library expressed the view that if the petitions were received within a period of 3 or 4 years Congress would be expected to act. The petitions now on file have come in over a 3-year period.

On the other hand, there is a precedent which sustains the belief that Congress would not be obliged to call a convention on petitions filed over a long period of years.

In 1929, the Wisconsin Legislature reminded Congress that 35 States had filed applications for a convention, and called upon Congress to perform its "mandatory" duty. But that list of 35 applications included nearly every petition that had ever been filed, back to 1788, and Congress ignored the Wisconsin resolution.

The Library of Congress found that commentators disagree over whether Congress is required to call a convention when the petitions deal with several different issues. There are some who argue that the calling of a convention was intended to be used only when the required two-thirds of the States feel that a general revision on the Constitution is needed, and that Congress should continue to submit specific changes directly to the States, as it always has done up to now.

However, if Congress called a convention in response to petitions such as are now on file, dealing with only two or three questions, the analysis prepared by the Library of Congress indicates that the scope of its actions could not be limited.

The Library report said:

> Manifestly, if the convention, of its own volition, chooses to confine its deliberations to a consideration of only those proposals contained in the State applications, a controversy scarcely would arise.
>
> However, according to the great weight of authority, Constitutional Conventions, once created, become relatively free agents whose final determinations are constitutionally tenable as long as they fall within the scope of the power conferred on such conventions by article V. Consistently with such a view a convention could not be restricted as to the subjects of its deliberations by instructions emanating either from the States or from Congress.

Although Virginia is one of the States which is asking for a convention, its petitions are confined to a request for action that would let the States decide how their legislatures should be apportioned.

Virginia, in fact, has filed two petitions with this Congress, proposing alternative approaches to the problem. One would restore to the States complete control over apportionment of their legislatures, and deprive Federal courts of jurisdiction to entertain suits affecting apportionment. The other petition suggests an amendment to enable the States to apportion one branch of their legislatures on a basis other than population.

In both resolutions the Virginia General Assembly provided that, if Congress submits a constitutional amendment to the States this year, Virginia's request for the calling of a constitutional convention would be considered withdrawn.

I, too, am anxious to avoid the necessity of calling a constitutional convention, and we can do that by passing the new Dirksen resolution of August 11, in which the distinguished minority leader has attempted to meet the objections raised by those who led the fight against the earlier proposal.

I have joined 30 other Senators in cosponsoring this modified Dirksen resolution. Its only purpose is to let the States apportion one branch of their legislatures on factors other than population.

But the new resolution gives the majority in any State ample opportunity to veto either the constitutional amendment or a reapportionment made under it.

Mr. President, is we get an opportunity to act before adjournment on the modified Dirksen resolution I hope that the Senate will approve it by the required two-thirds vote, and end this speculation over a possible constitutional convention. I say this for two reasons:

First, the Supreme Court's one-man, one-vote decision was bad law from a constitutional standpoint, and bad from a practical and political standpoint.

Second, if the States force Congress to call a convention, it would be a wide-open proceeding which might affect any part of the Constitution. If the trend toward a centralized Federal Government that has dominated acts of Congress and Supreme Court decisions in recent years should be reflected in the deliberations of a constitutional convention, I shudder to think what might become of the old-fashioned idea that this is a union of sovereign States, or to think of what might be done to the 10th amendment, which says that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

MOUNT VERNON, W. VA.

Mr. BYRD of West Virginia. Mr. President, for many years visitors to northern Virginia have considered a trip to Mount Vernon on the Potomac River as a tourist "must" and one of the real highlights of any sightseeing trip in the Washington metropolitan area.

Few realize that Mount Vernon on the great Kanawha River in West Virginia offers scenic attractions and historical reminiscences closely similar to Mount Vernon on the Potomac in Virginia. Both grace beautiful rivers; both manors are spacious structures with white pillared porticos, greatly similar in design; both are on estates formerly the property of our first President, George Washington, during his lifetime; and both have been successfully operated as agriculturally oriented establishments.

The September 5 edition of the Charleston, W. Va., Sunday Gazette Mail reports in detail on the West Virginia cousin to the Virginia Mount Vernon.

I ask unanimous consent to have this article included in the RECORD.

There being no objection, the newspaper article was ordered to be printed in the RECORD, as follows:

MOUNT VERNON ON THE KANAWHA

(By William C. Blizzard)

As every schoolboy knows, Mount Vernon overlooks the Potomac River, and is located about 15 miles south of Washington, D.C., in Fairfax County, Va.

Smart aleck schoolboys motoring along West Virginia 17 may therefore be excused some temporary confusion. For there, as

large as life or a little larger, is the Mount Vernon manor house overlooking the Great Kanawha River, about 8 miles east of Point Pleasant, in Mason County, W. Va.

The learned schoolboys of the literary cliche and the less omniscient adults of everyday reality may both be reassured: They have neither lost their senses nor entered the "Twilight Zone." The old home of Martha and George Washington, now a national shrine, is yet on the Potomac River; the similar edifice on the Great Kanawha is the home of Mrs. Harold B. Shadle and son, James B. Shadle. It is also the residence associated with Mount Vernon Farms, one of the largest dairy farms in West Virginia.

The big manor house was built in 1926–27 by James B. Shadle's grandfather, the late Harry Eugene Shadle. H. E. Shadle also built many of the surrounding barns and silos at that time, for he wanted to raise blooded horses and other purebred animals. This he did. His prize livestock included Leghorn poultry, Percheron and Belgian horses, and prize hogs, all of first-rate bloodlines.

Shadle had not at first intended to start a dairy farm. But his purebred stock included Brown Swiss, Guernsey, Jersey, and Holstein cattle, and the dairy business gradually pushed his other interests into the background.

A Mount Vernon distributing plant was built in Charleston, and within a few years Mount Vernon Farms was a leader in the Mountain State dairy industry. During 1 year in the late 1930's or early 1940's, 13 of the 15 most prolific milk producers in the State were Mount Vernon cows.

Harry Eugene Shadle created Mount Vernon Farms as a sort of second career after his retirement, at 65, from the presidency of the Morgan Lumber Co. in Charleston. Begun as an elaborate retirement hobby, Mount Vernon became an animal breeder's showplace and the principal supplier of a dairy which is still a leading milk producer in southern West Virginia.

Shadle died in 1947 at the age of 82, and a son who later managed the estate, Harold B. Shadle, died only a year later. Mrs. Harold B. Shadle and her son, James, now own and operate Mount Vernon. Operations today are limited to the maintenance of a large herd of dairy cattle.

Both the manor house on West Virginia 17 and the Mount Vernon Dairy building in Charleston are similar in design to George Washington's famed residence. That is, they resemble the county homes of the English gentry, dwellings patterned somewhat upon classic models. The tall-pillared portico or piazza is a principal architectural feature.

But the Mount Vernon in West Virginia resembles the Fairfax County Mount Vernon only superficially. The design of the Mount Vernon Dairy building in Charleston adheres somewhat more closely to that of the original.

H. E. Shadle named his farm and dairy "Mount Vernon" for several reasons. Among them were his admiration of General Washington, the fact that Shadle was born on Washington's birthday, and the historical fact that the land on which Mount Vernon Farms is located once belonged to Washington and later to Washington's heirs.

The Mount Vernon manor house on West Virginia 17, which has a full-size guesthouse attached, is actually larger than the Washington mansion. There are only 19 rooms in the original Mount Vernon, and there are 24 in the West Virginia namesake. It is the opinion of Mrs. Harold B. Shadle, who lives in the colonial mansion with a nurse, Mrs. Cleo (Poochie) Harper, that the rooms in her home are somewhat larger than those in the historic shrine.

In any case, the interior of the Mason County mansion is as imposing as the exterior. Surrounding the Shadle home are 1,400 acres of land, most of which are used for farm buildings, pasture, and crops. The south side of the Great Kanawha River bottom at this point is one and one-quarter miles wide.

On the Shadle property are plaques erected by the State which attest that the land was once part of a George Washington grant, and that it was also the site of an ill-fated "lost colony" originated and financed by the Father of his Country.

The "lost colony" story embodies an historical mystery which deserves a full article in itself. This full article exists, and was done, fortunately, by Dr. Roy Bird Cook, whose thorough research has probed the mystery, so far as this writer knows, as deeply as it has been probed.

Dr. Cook's article appeared in the February 1932, issue of the West Virginia Review, and is titled "Washington's Lost Colony." The information presented here is a summation of Dr. Cook's findings, although the opinions are my own.

In November 1770, George Washington, then a colonel in the Virginia militia, led a group of men, including at least one Indian, into the Great Kanawha Valley. Some of his men continued upriver toward what is now Charleston, but the main body, with Washington, explored the area only as far upstream as the locations of the present towns of Leon and Arbuckle, in what is now Mason County.

For the benefit of archeologists who are puzzled by the lack of buffalo bones at the Indian village site near Buffalo, George Washington left behind strong evidence that the big animals were numerous on the lower Kanawha at the time of his visit.

In Washington's notebook (now preserved in the Library of Congress), an entry dated November 2, 1770, states that his party "killed 5 buffaloes and wounded some others, three deer." There is much comment in the notebook on the abundance of game.

Washington and his men apparently did some exploring on both sides of the Great Kanawha, including the south side of the river, where broad bottom lands are hugged by a great bend in the stream. This bottom land is the location of the present Mount Vernon farms.

The purpose of Washington's visit, according to Cook, was to survey lands to be allotted to soldiers who had served in the French and Indian War. Whatever other soldiers got out of his trip, it is a matter of record that in 1772 Washington himself was granted 10,990 acres of those lands by Lord Dunmore, then royal governor of Virginia.

So Washington's 1770 visit apparently had a personal motive, for in June 1771, he had Capt. William Crawford lead a group which surveyed the area on the south side of the Great Kanawha River from below the mouth of Two Mile Creek to what is now the Putnam County line, a distance of 17 miles. This tract of land contained 10,990 acres, the same acreage granted to Washington by Dunmore a year later.

In July, 1773, Washington advertised his new property for sale or lease. He boasted of the game on the Great Kanawha and the possibility of forming a new State incorporating these lands, with its capital at the mouth of the Great Kanawha.

Washington was not a good real estate salesman. Prospective buyers reasoned that it profited them little if they gained the whole Kanawha Valley if they also lost their only scalps to Indians.

No frontier capital came into being at what is now Point Pleasant, but in November 1774, Fort Blair was built there. George Washington lived at Mount Vernon at the time (surrounded by 8,000 acres of plantation), and in January 1775, appointed an estate employee, James Cleveland, to oversee his western lands.

In the spring of 1775, Washington journeyed to Alexandria and, in his words, "bot a parcel of servants," he intended to send to the great bend of the Kanawha, in the middle of his 17-mile stretch of river bottom. About 20 of them, with James Cleveland heading the party, arrived at the big bottom which is now Mount Vernon farms on April 22, 1775.

The expedition was an unhappy one from the start. According to Cook, the inhabitants of the new colony were not slaves, but indentured servants, obliged to work out their passage to the New World, but with no other interest in the colonizing venture.

A month had not passed before James Cleveland wrote to Washington that he hated his job, and had been forced to construct a jail to lock up his unwilling settlers. Despite the jail, men continued to escape, and three were finally sent to Pennsylvania to be sold.

Cleveland complained that the game Washington had boasted of 5 years earlier could not be found, and food, clothing, and tools were scarce.

George Washington had the American Revolution on his mind, or he might have taken better care of his settlement on the Great Kanawha. James Cleveland's letters show that he expected Washington to pay the colony a visit. But on June 15, 1775, the Virginia planter was appointed Commander in Chief of the troops of the United Colonies. He never made it back to the Kanawha Valley.

Shortly after Washington's appointment, Lord Dunmore ordered that Fort Blair be evacuated, an action which meant an extremely serious loss of protection for James Cleveland and his little group. The fort was burned by Indians in August 1775.

But the settlement on the lower Great Kanawha existed until at least April 2, 1776. On that date, Cleveland appeared before the county court of Fincastle County, Va., with the certificate of appraisement for the George Washington colony.

Records at Christianburg, Va., show that 28 acres of land had been cleared, 14 buildings erected, 2,000 peach trees planted, and that large crops of potatoes, corn, and turnips had been raised. Monetary values was set at 1,100 pounds, 15 shillings, 7½ pence.

And there, in the words of Roy Bird Cook, the record ends. Historians have found no trace of the colony in written records or actual remains. Was it burned by Indians and the inhabitants slaughtered? Did the colonists abandon the wilderness site? Were they victims of starvation or disease? No one knows.

The location and possible reconstruction of the "lost colony" might be a worthwhile project for a local archeological society. Such a project would be of national historic interest and also a tourist attraction of the first magnitude.

Whatever happened to the "lost colony," George Washington still owned the 10,990 acres of the Great Kanawha when he died in 1799. It was divided into 23 equal parts in July 1802, and awarded to various heirs.

It is interesting to know, by the way, that Mount Vernon, that most American of U.S. historic shrines, was named for an Englishman. The main building was built by George Washington's half-brother Lawrence, who named the place the Little Hunting Creek Plantation. Later, Lawrence named it for Adm. Edward Vernon, his former commander in the British Navy.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the un-

finished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10586) making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill.

Mr. HILL obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Alabama yield without losing his right to the floor?

Mr. HILL. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. 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. HILL. Mr. President, the bill, H.R. 10586, making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes, as reported by the Committee on Appropriations, contains a total of $1,407,181,500, a reduction of $146,736,500 from the budget estimates, and an increase of $184 million over the amount of the bill as it passed the House.

The committee has approved for the Department of Labor a total of $156,526,000, the same amount allowed by the House. This involves supplemental requests to fund the expanding training and related activities authorized by the recent amendments to the Manpower Development and Training Act, approved April 26, 1965. There are also included funds to permit expansion of farm labor employment activities so that the Secretary of Labor may more quickly and accurately determine the need for temporary entry into the United States of foreign agricultural workers to aid in the planting and harvesting of crops.

The committee has approved for the Department of Health, Education, and Welfare a total of $1,250,655,500, an increase of $184 million over the House allowance, but a reduction of $146,294,500 from the budget requests.

The HEW chapter of the bill makes provisions for funds for the intensification of programs dealing with the report made by the President's Commission on Heart Disease, Cancer, and Stroke; for the new program under the recently enacted Elementary and Secondary Education Act of 1965; and for funding the new programs authorized by the Older American Act of 1965, and the National Technical Institute for the Deaf Act.

For the heart, cancer, and stroke program there was a request from the President in the amount of $44,120,000 to provide funds to the National Institutes of Health, the Vocational Rehabilitation Administration, and for three items in the Bureau of States Services of the Public Health Service—chronic diseases and health of the aged, communicable disease activities, and community health practice and research. The House provided $42,920,000, a reduction of $1,200,000 in the item for "Chronic diseases and health of the aged" inasmuch as the budget request contemplated for project grants $1.2 million more than is authorized by law for the purpose. The committee has approved $42,920,000, the same amount approved by the House, but has redistributed the funds, $20,250,000, within the National Institutes of Health, in compliance with the suggestion from officials of the NIH during our hearings.

The principal, and largest, item in the bill is "Elementary and secondary educational activities" for which the budget request was $1,295,684,000; the House allowed $967 million; the committee recommends $1,151 million, an increase of $184 million over the House allowance, but a reduction of $144,684,000 from the budget request.

The committee has provided that determinations and payments under title I of the Elementary and Secondary Education Act of 1965 shall be made on the basis of the full budget request for the purpose, $1,070,684,000, but the appropriation provided is $959 million. The appropriation of the lesser amount is predicated on the testimony of Department officials that a lesser amount will be required because of an anticipated delay in getting the State programs initiated, the limitation of not to exceed 30 percent of total expenditures by a school district for basic grants, and for other reasons. But each eligible school district will be assured of receiving its share of the total budget request for basic grants.

The bill contains $7 million for "Administration on Aging," an increase of $69,000 over the budget request.

The bill also contains the funds requested, $420,000, under the National Technical Institute for the Deaf Act to provide for the establishment and operation of a technical institute.

Mr. President, I ask unanimous consent that the amendments of the committee be agreed to en bloc, and that the bill as so amended be regarded for the purpose of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to this order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 3, line 17, after the word "Act", to strike out "$967,000,000" and insert "$1,151,000,000"; in line 18, after the word "which", to strike out "$775,000,000" and insert "$959,000,000"; and, in line 22, after the word "of", to strike out "the amount authorized to be appropriated for such title" and insert "$1,070,684,000".

On page 5, line 20, after the word "Sciences", to strike out "$2,200,000" and insert "$4,550,000".

On page 6, line 3, after the word "Institute", to strike out "$4,000,000" and insert "$5,150,000".

On page 6, line 6, to strike out "$9,800,000" and insert "$5,050,000".

On page 6, line 10, after the word "Blindness", to strike out "$4,250,000" and insert "$5,500,000".

On page 7, after line 12, to insert:

"GENERAL PROVISION

"SEC. 201. The provisions of section 207 of the Department of Health, Education, and Welfare Appropriation Act, 1966, Public Law 89-156, shall apply to the items contained in this chapter."

LABOR-HEW SUPPLEMENTAL BILL IMPLEMENTS IMPORTANT GREAT SOCIETY PROGRAMS

Mr. YARBOROUGH. Mr. President, I wish to commend the distinguished chairman of the subcommittee [Mr. HILL] for the great service he is rendering in giving this bill the usual thorough and thoughtful consideration which he and his subcommittee give all bills which come before them and yet still bringing the Labor-HEW supplemental to the floor of the Senate only 2 weeks after it passed the House.

This is a very important appropriation bill, Mr. President, because in it Congress is appropriating funds for many of the Great Society programs which Congress has studied this year and authorized in this 1st session of the 89th Congress.

The sum of $1,151 million is recommended for the first year implementation of the Elementary and Secondary Education Act. The authorization for title I payments to school districts for the purpose of improving the educations of educationally deprived children from low-income families is increased over the House figure by the amount requested by the administration, $184 million.

Moreover, the committee has provided that payments to a given school district can be made on the basis of $1,070,684,000 if the school district can justify the full amount it would have coming to it under this total. Although this is $100 million less than the full authorization, it is the amount requested for this purpose by the President. In view of the fact that school has already started and part of the fiscal year has already elapsed, this slightly lower amount is reasonable.

I hope that the full amount authorized for strengthening State departments of education under title V of the act, can be restored in future appropriations. Elementary and secondary education is primarily a local and State matter, and with a revival of interest in multistate action as a result of the work of Dr. James Bryant Conant, we should take every opportunity to aid the States in upgrading education at the elementary and secondary level.

The $20,250,000 expenditure authorized for the National Institutes of Health will provide funds for implementing many of the recommendations of the President's Council on Heart Disease, Cancer, and Stroke. As a member of the subcommittee on Health of the Labor and Public Welfare Committee, I studied this report closely in connection with the Heart, Cancer, Stroke Amendments of 1965. Much of the thrust of this report is aimed at the problem of utilizing the knowledge turned up by our researchers. The best medical research in the world

is worth nothing if we do not put its results into practice. The committee has acted wisely in reallocating funds among the various NIH programs to give higher priority to those programs which deal with getting the new medical knowledge out to the practicing physician. Research and implementation of the resultant knowledge go hand in hand; we can neglect neither. However the gap which exists at the present time in certain fields between the discovery of new things and the use we are making of these discoveries is so critical that justification exists for paying special attention to putting our newly discovered knowledge to work.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

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

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 10586) was passed.

Mr. HILL. Mr. President, I move that the Senate insist on its amendments, and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. PASTORE, Mr. HILL, Mr. HOLLAND, Mr. HAYDEN, Mr. RUSSELL of Georgia, Mr. YOUNG of North Dakota, Mr. SALTONSTALL, and Mr. COTTON conferees on the part of the Senate.

Mr. HILL. Mr. President, I move that the Senate reconsider the vote by which the bill (H.R. 10586) was passed.

Mr. ALLOTT. Mr. President, I move to lay that motion to the table.

The motion to lay on the table was agreed to.

Mr. COOPER. Mr. President, I have received inquiries concerning the location of vocational training centers. Would this bill have anything to do with that subject?

Mr. HILL. This bill does not deal with that subject. H.R. 10586 is a supplemental appropriation bill, and would not have anything to do with the provisions of funds for such centers.

A distinguished Representative from Kentucky is also interested in one of these schools.

LET US END THIS INJUSTICE—AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT

Mr. YOUNG of Ohio. Mr. President, pending on the Senate Calendar is S. 1935, proposed by the administration to amend the International Claims Settlement Act in connection with, among other things, the disposition of funds deposited in the U.S. Treasury by the Government of Italy to pay claims of Americans who suffered as the result of the fighting in Italy during World War II.

More than a million dollars remain in the fund, and this proposal would reopen the claims program. A suggestion was made during the hearings before the Senate Foreign Relations Committee of an inequity which occurred during the Foreign Claims Settlement Commission's earlier consideration of personal injury claims, and which a representative of the Commission acknowledged, but which could not previously have been cured because of the absence of congressional authority for further action on Italian claims.

What happened was that two Americans to my knowledge in the same situation were treated differently. The man whose claim was disallowed, Carl Hauss of Cincinnati, Ohio, fought valiantly against the Italian Fascists, and was arrested by them near Milan, Italy, after the armistice. Both the agreement with Italy under which the funds were deposited in the U.S. Treasury, and the legislation providing for the payment of claims, provided for payment of claims of this type, and yet, despite the suffering of Mr. Hauss in the cause of the Allies, his claim was not allowed, while others in the same situation were allowed and compensation was provided.

I know personally, having served with the U.S. Army in northern Italy during World War II, of the continuing participation of the Italian Fascist forces in combat in Italy there after the armistice was signed in 1943 and Italy officially was out of the war. I know of the activities of the partisans against the Fascists thereafter. It would be most unfortunate if Americans who were injured or suffered property damage in Italy could not be compensated from the fund provided by Italy for that very purpose.

A million dollars remains in that fund and I know of no reason for not providing such compensation. The International Law Committee of the District of Columbia Bar Association took this position in connection with this legislation which was proposed but not acted upon in the last Congress, and I ask unanimous consent to have printed at this point in the RECORD a copy of its resolution.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

MINUTES OF THE MEETING OF THE COMMITTEE ON INTERNATIONAL LAW OF THE DISTRICT OF COLUMBIA, HELD FEBRUARY 13, 1964, IN THE BOARD ROOM OF THE NATIONAL SAVINGS & TRUST CO.

Mr. Herman moved the adoption of the resolution and the motion was seconded. After a full discussion, the resolution was unanimously adopted and the chairman was authorized and instructed to deliver a copy of the resolution and a report of the action of the Committee to the Board of Directors of the Bar Association of the District of Columbia with a recommendation that the resolution be approved by the board and that appropriate further action be taken to communicate the position of the Bar Association of the District of Columbia to the Committee on Foreign Relations of the U.S. Senate. The other matter involved S. 947 (proposed legislation relative to the Italian Claims Fund established by the Government of Italy for the payment of claims of U.S. nationals arising out of the war). The following resolution was moved and seconded:

"RESOLUTION

"Whereas the Senate Foreign Relations Committee is considering S. 947, one provision of which would pay over the balance of the Italian Claims Funds to the U.S. Treasury toward prisoner of war and detention payments made from other funds; and

"Whereas said fund was provided under international agreement the terms of which allowed the use of the fund only for the payment of claims not otherwise provided for; and

"Whereas there appear to be claims of American citizens not provided for, which should be given consideration by the Congress: Now, therefore, be it

"*Resolved*, That this matter should be called to the attention of the Senate Foreign Relations Committee in its consideration of S. 947, and that a member of the international law committee be authorized to present this situation at any hearings to be held on this legislation."

Mr. YOUNG of Ohio. Mr. President, a reexamination of this matter is clearly in order. Although it may not be practical at the end of this session for the Senate to debate the question, I hope that when either the legislation is considered by the House of Representatives or in connection with private legislation to provide for the payment of worthy cases out of the balance of the Italian Claims Fund, full consideration can be given to the inequity which occurred to these brave Americans who risked so much for the cause of freedom, and suffered so much as a result. The authority exists under the basic legislation and the funds are available without utilizing taxpayers' money. All that is required is for the Congress to authorize the procedure for the consideration of the claims.

COSTLY SHORTSIGHTEDNESS—TRADE WITH IRON CURTAIN COUNTRIES

Mr. YOUNG of Ohio. Mr. President, our neighbor to the north, Canada, is prospering as never before. Adding somewhat to her general prosperity is the fact that so far this year 187 million bushels of Canadian wheat have been sold and shipped to the Soviet Union for which Canadian wheatgrowers received $450 million in gold. Last year 239 million bushels of Canadian wheat were shipped to the Soviet Union for which Canadian wheatgrowers received more than $500 million in gold.

I have maintained all along that right-wing extremists are doing a disservice to their fellow Americans when they shrilly denounce having any commercial relations with the Russians. Of course, we should sell behind the Iron Curtain whatever products of American farms and factories the Russians can eat, drink or smoke or wear. Nevertheless, right-wing extremists shudder at the thought of this.

These shortsighted, superduper patriots, who consider themselves self-appointed vigilantes and who seek to play God with other people's patriotism, declaim against any trade whatsoever with countries behind the Iron Curtain—Rumania, Poland, or any other countries.

Mr. President, we have the great St. Lawrence Seaway, of which we are very

proud, which we are not using to maximum capacity by any means.

The farmers and the industrialists of the Midwest are very proud that so many of our States have ocean ports. In my State of Ohio, we have the cities of Lorain, Cleveland, Ashtabula, Conneaut, and Toledo, which can handle ocean freight. Ships belonging to the Scandinavian countries, Germany, and many other countries can come to those cities, via the St. Lawrence Seaway, with products for the United States, and are available to take on wheat and other products of the Midwest.

Millions of bushels of wheat are rotting in storage bins in this country, gradually becoming nothing except food for rats, while the taxpayers of our country are paying huge sums of money for storage costs. This wheat is being held against sales for cash on the barrel. This is what our good neighbor to the north, Canada, is doing, and the same as West Germany is doing. Both of these nations are prospering as never before. Sometimes West Germany buys wheat from our country—sometimes not as much as we would like to sell her—and converts it into flour and sells it behind the Iron Curtain.

There is a restriction on U.S. sales of surplus wheat to Communist nations, namely, that 50 percent of such sales shall be carried in American bottoms. This is discriminatory against the farmers of the Midwest and against the manufacturers of our entire country.

Mr. President, it is high time to put an end to this costly shortsightedness. Let us follow the example of the Commonwealth to the north. Let us follow the example of other allies, such as Australia, which sells wheat behind the Iron Curtain, and West Germany, which sells wheat products to Communist bloc countries.

Let us try to stimulate the business of the great St. Lawrence Seaway and add further to the prosperity of American farmers and producers. Let us at the same time deserve the blessings of the taxpayers of the country for engaging in trade and selling freely to the nationals behind the Iron Curtain the products that they need—and they need wheat very much at the present time—products that they can eat, smoke, drink or wear.

We owe it to our children and our grandchildren to continue to seek cooperation in this nuclear age, for the choice may someday be limited to cooperation or coannihilation.

I hope that we shall give serious thought to putting an end to our costly shortsightedness that is depriving American farmers and producers of money which they would otherwise have and placing an unnecessary burden on the taxpayers of this country.

Mr. MAGNUSON subsequently said: Mr. President, I listened with considerable interest to the Senator from Ohio making the objective with reference to the so-called 50–50 cargo maritime preference program. I heard only part of his speech.

Much has been said in the past few days regarding the program, which is of great importance to the American merchant marine in relation to the wheat program. I hope some solution can be worked out.

There are two sides to the question, and at the proper time, those of us who have a complete understanding of the necessity to keep our merchant marine alive and adequate, economic and defensewise, will work out what we can. We believe that our merchant marine should not be jeopardized or weakened. It has enough troubles now.

When it is remembered that American bottoms now carry only 8 percent in tonnage of our exports and imports over the world, it seems to me it is high time something be done to strengthen it. It is hoped that something may be worked out to the end that the American merchant marine might carry more of these shipments of wheat.

STATE TECHNICAL SERVICES ACT OF 1965

Mr. MAGNUSON. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to Senate bill 949.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 949) to promote commerce and encourage economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise, which were, to strike out all after the enacting clause and insert:

DECLARATION OF PURPOSE

SECTION 1. That Congress finds that wider diffusion and more effective application of science and technology in business, commerce, and industry are essential to the growth of the economy, to higher levels of employment, and to the competitive position of United States products in world markets. The Congress also finds that the benefits of federally financed research, as well as other research, must be placed more effectively in the hands of American business, commerce, and industrial establishments. The Congress further finds that the several States through cooperation with universities, communities, and industries can contribute significantly to these purposes by providing technical services designed to encourage a more effective application of science and technology to both new and established business, commerce, and industrial establishments. The Congress, therefore, declares that the purpose of this Act is to provide a national program of incentives and support for the several States individually and in cooperation with each other in their establishing and maintaining State and interstate technical service programs designed to achieve these ends.

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) "Technical services" means activities or programs designed to enable businesses, commerce, and industrial establishments to acquire and use scientific and engineering information more effectively through such means as—

(1) preparing and disseminating technical reports, abstracts, computer tapes, microfilm, reviews, and similar scientific or engineering information, including the establishment of State or interstate technical information centers for this purpose;

(2) providing a reference service to identify sources of engineering and other scientific expertise; and

(3) sponsoring industrial workshops, seminars, training programs, extension courses, demonstrations, and field visits designed to encourage the more effective application of scientific and engineering information.

(b) "Designated agency" means the institution or agency which has been designated as administrator of the program for any State or States under section 3 or section 7 of this Act.

(c) "Qualified institution" means (1) an institution of higher learning with a program leading to a degree in science, engineering, or business administration which is accredited by a nationally recognized accrediting agency or association to be listed by the United States Commissioner of Education, or such an institution which is listed separately after evaluation by the United States Commissioner of Education pursuant to this subsection; or (2) a State agency or a private, nonprofit institution which meets criteria of competence established by the Secretary of Commerce and published in the Federal Register. For the purpose of this subsection the United States Commissioner of Education shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of science, engineering, or business education or training offered. When the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit such programs, he shall publish a list of institutions he finds qualified after prior evaluation by an advisory committee, composed of persons he determines to be specially qualified to evaluate the training provided under such programs.

(d) "Participating institution" means each qualified institution in a State, which participates in the administration or execution of the State technical services program as provided by this Act.

(e) "Secretary" means the Secretary of Commerce.

(f) "State" means one of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or the Virgin Islands.

(g) "Governor", in the case of the District of Columbia, means the Board of Commissioners of the District of Columbia.

SELECTION OF DESIGNATED AGENCY

SEC. 3. The Governor of any State which wishes to receive Federal payments under this Act in support of its existing or planned technical services program shall designate, under appropriate State laws and regulations, an institution or agency to administer and coordinate that program and to prepare and submit a plan and programs to the Secretary of Commerce for approval under this Act.

PLANS AND PROGRAMS

SEC. 4. The designated agency shall prepare and submit to the Secretary in accordance with such regulations as he may publish—

(a) A five-year plan which may be revised annually and which shall: (1) outline the technological and economic conditions of the State, taking into account its region, business, commerce, and its industrial potential and identify the major regional and industrial problems; (2) identify the general approaches and methods to be used in the solution of these problems and outline the means of measuring the impact of such assistance on the State or regional economy; and (3) explain the methods to be used in administering and coordinating the technical services program.

(b) An annual technical services program which shall (1) identify specific methods, which may include contracts, for accomplishing particular goals and outline the likely impact of these methods in terms of the five-year plan; (2) contain a detailed budget,

together with procedures for adequate fiscal control, fund accounting, and auditing, to assure proper disbursement for funds paid to the State under this Act; and (3) indicate the specific responsibilities assigned to each participating institution in the State.

REVIEW OF PLANS AND PROGRAMS BY SECRETARY

SEC. 5. The Secretary shall not accept the five-year plan of a State for review and approval under this Act unless the Governor of the State or his designee determines and certifies that the plan is consistent with State policies and objectives; and the Secretary shall not accept an annual technical services program for review and approval under this Act unless the designated agency has, as certified thereto by the Governor or his designee—

(a) invited all qualified institutions in the State to submit proposals for providing technical services under the Act;

(b) coordinated its programs with other States and with other publicly supported activities within the State, as appropriate;

(c) established adequate rules to insure that no officer or employee of the State, the designated agency, or any participating institution, shall receive compensation for technical services he performs, for which funds are provided under this Act, from sources other than his employer, and shall not otherwise maintain any private interest in conflict with his public responsibility;

(d) determined that matching funds will be available from State or other non-Federal sources;

(e) determined that such technical services program does not provide a service which on the date of such certification is economically and readily available in such State from private technical services, professional consultants, or private institutions;

(f) planned no services specially related to a particular firm or company, public work, or other capital project except insofar as the services are of general concern to the industry and commerce of the community, State, or region;

(g) provided for making public all reports prepared in the course of furnishing technical services supported under this Act or for making them available at cost to any person on request.

APPROVAL BY SECRETARY

SEC. 6. The Secretary shall review the five-year plan and each annual program submitted by a designated agency under section 4 or section 7, and shall approve only those which (1) bear the certification required by the Governor or his designee under section 5; (2) comply with regulations and meet criteria that the Secretary shall promulgate and publish in the Federal Register; and (3) otherwise accomplish the purposes of this Act.

INTERSTATE PROGRAMS

SEC. 7. Two or more States may cooperate in administering and coordinating their plans and programs supported under this Act, in which event all or part of the sums authorized and payable under section 10 to all of the cooperating States may be paid to the designated agency, participating institutions, or persons authorized to receive them under the terms of the agreement between the cooperating States. When the cooperative agreement designates an interstate agency to act on behalf of all of the cooperating States, it shall submit to the Secretary for review and approval under section 6 an interstate five-year plan and an annual interstate technical services program which, as nearly as practicable, shall meet the requirements of section 4 and section 5.

CONSENT OF CONGRESS

SEC. 8. (a) The consent of the Congress is given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance and in designating agencies, under section 7, for accomplishing the purposes of this Act.

(b) The right to alter, amend, or repeal this section, or consent granted by this section, is expressly reserved.

ADVISORY COUNCIL

SEC. 9. Each designated agency shall appoint an advisory council for technical services, the members of which shall represent broad community interests and shall be qualified to evaluate programs submitted under section 4. The advisory council shall review each annual program, evaluate its relation to the purposes of this Act, and report its findings to the designated agency and the Governor or his designee. Each report of each advisory council shall be available to the Secretary on request. Members of any such advisory council shall not be compensated for serving as such, but may be reimbursed for necessary expenses incurred by them in connection with attending meetings of any advisory council of which they are members.

AUTHORIZATION OF APPROPRIATIONS AND PAYMENTS

SEC. 10. (a) There are authorized to be appropriated for the purposes of this Act, $10,000,000 for the fiscal year ending June 30, 1966; $20,000,000 for the fiscal year ending June 30, 1967; $30,000,000 for the fiscal year ending June 30, 1968.

(b) From these amounts, the Secretary is authorized to make an annual payment to each designated agency, participating institution, or person authorized to receive payments in support of each approved technical services program. Maximum amounts which may be paid to the States under this subsection shall be fixed in accordance with regulations which the Secretary shall promulgate and publish in the Federal Register from time to time, considering (1) population according to the last decennial census; (2) business, commercial, industrial and economic development and productive efficiency; and (3) technical resources.

(c) The Secretary may reserve an amount equal to not more than 20 per centum of the total amount appropriated for each year under this section and is authorized to make payments from such amount to any designated agency or participating institution for technical services programs which he determines have special merit or to any qualified institution for additional programs which he determines are necessary to accomplish the purposes of this Act, under criteria and regulations that he shall promulgate and publish in the Federal Register.

(d) An amount equal to not more than 5 per centum of the total amount appropriated each year under this section shall be available to the Secretary for the direct expenses of administering this Act.

(e) (1) No amount paid for any technical services program under subsection (b) or (c) shall exceed the amount of non-Federal funds expended to carry out such program: *Provided*, That the Secretary may pay an amount not to exceed $25,000 a year for each of the first three fiscal years to each designated agency, other than a designated agency under section 7, to assist in the preparation of the five-year plan and the initial annual technical services programs, without regard to any of the preceding requirements of this section.

(2) No funds appropriated pursuant to the provisions of this section shall be paid to any designated agency, participating institution, or person on account of any such agency or institution, to carry out any technical services activity or program in any State if such activity or program duplicates any activity or program readily available in such State from Federal or State agencies, including publicly supported institutions of higher learning in such State.

ASSISTANCE BY THE SECRETARY

SEC. 11. The Secretary is authorized and directed to aid designated agencies in carrying out their technical services programs by providing reference services which a designated agency may use to obtain scientific, technical, and engineering information from sources outside the State or States which it serves, for the purposes of this Act.

RULES AND REGULATIONS

SEC. 12. The Secretary is authorized to establish such policies, standards, criteria, and procedures and to prescribe such rules and regulations as he may deem necessary or appropriate for the administration of this Act.

LIMITATIONS

SEC. 13. (a) Nothing contained in this Act shall be construed as authorizing a department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to the personnel, curriculum, methods of instruction, or administration of any educational institution.

(b) Nothing contained in this Act shall be deemed to affect the functions or responsibilities under law of any other department or agency of the United States.

ANNUAL REPORT

SEC. 14. (a) Each designated agency shall make an annual report to the Secretary on or before the first day of September of each year on the work accomplished under the technical services program and the status of current services, together with a detailed statement of the amounts received under any of the provisions of this Act during the preceding fiscal year, and of their disbursement.

(b) The Secretary shall make a complete report with respect to the administration of this Act to the President and the Congress not later than January 31 following the end of each fiscal year for which amounts are appropriated pursuant to this Act.

EVALUATION

SEC. 15. Within three years from the date of the enactment of this Act, the Secretary shall appoint a public committee, none of the members of which shall have been directly concerned with the preparation of plans, administration of programs or participation in programs under this Act. The Committee shall evaluate the significance and impact of the program under this Act and make recommendations concerning the program. A report shall be transmitted to the Secretary within sixty days after the end of such three-year period.

TERMINATION

SEC. 16. Whenever the Secretary, after reasonable notice and opportunity for hearing to any designated agency or participating institution receiving funds under this Act finds that—

(a) the agency or institution is not complying substantially with provisions of this Act, with the regulations promulgated by the Secretary, or with the approved annual technical services program; or

(b) any funds paid to the agency or institution under the provisions of this Act have been lost, misapplied, or otherwise diverted from the purposes for which they were paid or furnished—

the Secretary shall notify such agency or institution that no further payments will be made under the provisions of this Act until he is satisfied that there is substantial compliance or the diversion has been corrected or, if compliance or correction is impossible, until such agency or institution repays or arranges for the repayment of Federal funds which have been diverted or improperly expended.

REPAYMENT

SEC. 17. Upon notice by the Secretary to any designated agency or participating institution that no further payments will be made pending substantial compliance, correction, or repayment under section 16, any funds which may have been paid to such agency or institution under this Act and which are not expended by the agency or institution on the date of such notice, shall be repaid to the Secretary and be deposited to the account of the appropriations from which they originally were paid.

RECORDS

SEC. 18. (a) Each recipient of a grant under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and the disposition of such grant, the total cost of the related approved program, the amount and nature of the cost of the program 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 to any books, documents, papers, and records of the recipient that are pertinent to amounts received under this Act.

SHORT TITLE

SEC. 19. This Act may be cited as the "State Technical Services Act of 1965".

And to amend the title so as to read: "An Act to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise."

Mr. MAGNUSON. Mr. President, I move that the Senate concur in the amendments of the House to the bill S. 949, a bill to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise.

This bill would authorize a broad, imaginative program of matching grants to the States for a cooperative program so that the results and benefits of modern science and technology may be effectively used by American commerce and industry.

The bill was approved by the Senate on July 19 without opposition, after having been carefully considered, reviewed and modified by the Senate Commerce Committee. The measure was cosponsored in the Senate by most of the members of the committee and by other Senators. It was introduced by me and the cosponsors are Senators BYRD of West Virginia, RIBICOFF, MCGOVERN, PASTORE, MONRONEY, LAUSCHE, BARTLETT, HARTKE, MCGEE, HART, CANNON, BREWSTER, NEUBERGER, BASS, COTTON, SCOTT, PROUTY, PEARSON, and DOMINICK practically all the members of the Commerce Committee.

As the bill has come back to the Senate from the House, it includes only a few significant changes—changes which do not, in the opinion of the committee, warrant a conference with the House.

The differences between the Senate and House bills may be briefly summarized as follows:

First. The Senate bill authorized appropriations for a 5-year period and required a full evaluation of the program by an independent review board after 5 years. The House bill reduced the period of authorization to 3 years and required evaluation of the program after the first 3 years. This is a reasonable change. An initial 3-year authorization will get the program well underway and a comprehensive review of this new undertaking after 3 years will be helpful in making sure that it is working effectively and properly.

The House bill also eliminated a provision in the Senate bill permitting the Secretary of Commerce to provide additional funds, up to 10 percent, to regional or interstate technical services program without matching funds.

The House made other, more technical amendments, that clarify and strengthen the bill. So I hope the Senate will agree to the motion, approve the House amendments, and complete Congressional action on this important, farsighted measure.

Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

Mr. MAGNUSON. Mr. President, the Senator from Pennsylvania [Mr. SCOTT], who has long been active in the promotion of this bill, and one of the prime movers, with myself, in seeking its enactment—really, the bill should be called the Magnuson-Scott bill—has prepared a written statement. The Senator, unfortunately, could not be present this afternoon because of official business. I ask unanimous consent that his statement be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SCOTT ON S. 949

I am pleased that the Senate today has approved and cleared for the President's signature the Magnuson-Scott bill to establish a State technical services program.

The State Technical Services Act of 1965 will launch a program designed to put into the hands of local businesses and industry throughout the Nation the up-to-date results of scientific and technological research and development. In this manner, the program can contribute to economic growth and more jobs at home and the improvement of America's competitive position in world markets. My Commonwealth of Pennsylvania stands ready to participate actively in this program which I feel can be very beneficial to Pennsylvania's economy and industrial development.

As originally approved by the Senate, S. 949 provided a 5-year authorization of funds for this matching Federal-State grant program. The other body saw fit to cut this authorization back to 3 years. I believe that this change is satisfactory because it strengthens the reasonable controls which we added to the bill in committee without hindering the effective implementation of the program.

I am glad to have participated in the drafting of the State Technical Services Act of 1965, and I want to salute my colleagues in both bodies who, with the expert assistance of the Assistant Secretary of Commerce for Science and Technology, Mr. Holloman, and his staff, have made this beneficial program possible.

RESEARCH DEVELOPMENT IN HIGH-SPEED GROUND TRANSPORTATION

Mr. MAGNUSON. Mr. President, I ask that the Presiding Officer lay before the Senate the amendments of the House to the bill (S. 1588).

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1588), to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, which were, to strike out all after the enacting clause and insert:

That, consistent with the objective of promoting a safe, adequate, economical, and efficient national transportation system, the Secretary of Commerce (hereafter in this Act referred to as the "Secretary") is authorized to undertake research and development in high-speed ground transportation, including, but not limited to, components such as materials, aerodynamics, vehicle propulsion, vehicle control, communications, and guideways.

SEC. 2. The Secretary is authorized to contract for demonstrations to determine the contributions that high-speed ground transportation could make to more efficient and economical intercity transportation systems. Such demonstrations shall be designed to measure and evaluate such factors as the public response to new equipment, higher speeds, variations in fares, improved comfort and convenience, and more frequent service. In connection with contracts for demonstrations under this section, the Secretary shall provide for financial participation by private industry to the maximum extent practicable.

SEC. 3. Nothing in this Act shall be deemed to limit research and development carried out under the first section or demonstrations contracted for under section 2 to any particular mode of high-speed ground transportation.

SEC. 4. The Secretary is authorized to collect and collate transportation data, statistics, and other information which he determines will contribute to the improvement of the national transportation system. In carrying out this activity, the Secretary shall utilize the data, statistics, and other information available from Federal agencies and other sources to the greatest practicable extent. The data, statistics, and other information collected under this section shall be made available to other Federal agencies and to the public insofar as practicable.

SEC. 5. (a) There is hereby established in the Department of Commerce an advisory committee consisting of seven members who shall be appointed by the Secretary without regard to the civil service laws. The Secretary shall designate one of the members of the Advisory Committee as its Chairman. Members of the Advisory Committee shall be selected from among leading authorities in the field of transportation.

(b) The Advisory Committee shall advise the Secretary with respect to policy matters arising in the administration of this Act, particularly with respect to research and development carried out under the first section and contracts for demonstrations entered into under section 2.

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

SEC. 6. (a) In carrying out the provisions of section 2 of this Act, the Secretary shall provide fair and equitable arrangements, as determined by the Secretary of Labor, to protect the interests of the employees of any

common carrier who are affected by any demonstration carried out under a contract between the Secretary and such carrier under such section. Such protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) to such employees under existing collective-bargaining agreements, or otherwise; (2) the continuation of collective-bargaining rights; (3) the protection of such individual employees against a worsening of their positions with respect to their employment as a result of such demonstration; (4) assurances of priority of reemployment of employees terminated or laid off as a result of such demonstration; and (5) paid training or retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment as the result of such demonstrations which shall in no event provide benefits less than those established pursuant to section 5(2)(f) of the Interstate Commerce Act (49 U.S.C. 5). Any contract entered into pursuant to the provisions of section 2 of this Act shall specify the terms and conditions of such protective arrangements.

(b) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of funds received under any contract or agreement entered into 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. The Secretary shall not enter into any such contract or agreement without first obtaining adequate assurance that required labor standards will be maintained upon the construction work. The Secretary of Labor shall have with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

SEC. 7. In exercising the authority granted in the first section and section 2 of this Act, the Secretary may lease, purchase, develop, test, and evaluate new facilities, equipment, techniques, and methods and conduct such other activities as may be necessary, but nothing in this Act shall be deemed to authorize the Secretary to acquire any interest, in any line of railroad.

SEC. 8. (a)(1) In exercising the authority granted under this Act, the Secretary is authorized to enter into agreements and to contract with public or private agencies, institutions, organizations, corporations, and individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

(2) Any such agreement or contract shall contain provisions effective to insure that all information, uses, processes, patents and other developments resulting from any activity undertaken pursuant to such agreement or contract will be made readily available on fair and equitable terms to the transportation industry and industries engaging in furnishing supplies to such industry.

(3) To the maximum extent practicable, the private agencies, institutions, organizations, corporations, and individuals with which the Secretary enters into such agreements or contracts to carry out research and development under this Act shall be geographically distributed throughout the United States.

(4) Each agreement or contract entered into under this Act under other than competitive bidding procedures, as determined by the Secretary, shall provide that the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, may, for the purpose of audit and examination, have access to any books, documents, papers, and records of the parties to such agreement or contract which are pertinent to the operations or activities under such agreement or contract.

(b) The Secretary is authorized to appoint, subject to the civil service laws and regulations, such personnel as may be necessary to enable him to carry out efficiently his functions and responsibilities under this Act. The Secretary is further authorized to procure services as authorized by section 15 of the Act of August 3, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed $100 per diem, unless otherwise specified in an appropriation Act.

SEC. 9. In exercising the authority granted under this Act, the Secretary shall consult and cooperate, as he deems appropriate, with the Administrator of the Housing and Home Finance Agency and other departments and agencies, Federal, State, and local. The Secretary shall further consult and cooperate, as he deems appropriate, with institutions and private industry.

SEC. 10. (a) The Secretary shall report to the President and the Congress not less often than annually with respect to activities carried out under this Act.

(b) The Secretary shall report to the President and the Congress the results of his evaluation of the research and development program and the demonstration program authorized by this Act, and shall make recommendations to the President and the Congress with respect to such future action as may be appropriate in the light of these results and their relationship to other modes of transportation in attaining the objective of promoting a safe, adequate, economical, and efficient national transportation system.

(c) The Secretary shall, if requested by any appropriate committee of the Senate or House of Representatives, furnish such committee with information concerning activities carried out under this Act and information obtained from research and development carried out with funds appropriated pursuant to this Act.

SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed $20,000,000 for the fiscal year ending June 30, 1966; $35,000,000 for the fiscal year ending June 30, 1967; and $35,000,000 for the fiscal year ending June 30, 1968. Such sums shall remain available until expended.

SEC. 12. This Act shall terminate on June 30, 1969. The termination of this Act shall not affect the disbursement of funds under, or the carrying out of, any contract commitment, or other obligation entered into pursuant to this Act prior to such date of termination.

And to amend the title so as to read: "An Act to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes."

Mr. MAGNUSON. I move that the Senate disagree to the House amendments and ask for a conference with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. PASTORE, Mr. LAUSCHE, Mr. HARTKE, Mr. MORTON, and Mr. SCOTT conferees on the part of the Senate.

NEWSPAPER GROWTH

Mr. MAGNUSON. Mr. President, when we pick up the morning newspaper at breakfast, or read the evening paper after a busy day, we often reflect upon the enormous service rendered by those who perform this service.

We could well reflect too upon the size of this industry and how it has grown.

This growth was brought home to me through an editorial carried in the Everett, Wash., Herald some weeks ago.

I ask the unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEWSPAPERS

The newspaper business is one of the largest manufacturing industries in our Nation's economy. Just the physical production of newspapers is so massive that it constitutes 1.53 percent of the Nation's total industrial activity. This activity is measured by the Federal Reserve Board's index of industrial production. For example the value added by the auto industry represents 1.82 percent of the Nation's total activity whereas newspapers represent 1.53 percent, all meat products 1.52 percent, drugs and medicine 1.48 percent, lumber 0.91 percent, TV sets 0.33 percent, etc.

Dr. John Udell of the University of Wisconsin notes that newspaper growth can be measured in other ways also. U.S. newspapers employ one-third million Americans. Thousands of additional persons are employed in the production of newsprint, printing press, and other products needed to supply the Nation's 1,763 daily papers. From 1947 through 1963 newspaper employment expanded 31 percent—more rapidly than total employment in the United States, which increased 19 percent, and 3½ times as fast as employment in all manufacturing industries.

A significant measure of newspaper growth is newsprint consumption, which has increased from 4.3 million tons in 1946 to over 8 million tons in 1964, a growth of 87 percent. The greatest growth of U.S. newsprint consumption has occurred in cities and towns of less than 100,000 population—which have experienced a 70-percent greater expansion than the average of all newspapers in the United States.

And the future of newspapers looks even brighter. Dr. Udell, pointing to projected population increase in the 15-year period between 1965 and 1980, forecasts from 16.4 to 22 million more newspaper subscribers by the latter year. He predicts flatly: "Daily circulation should increase more in the decade ahead than in any other decade in the history of the U.S. newspaper business."

RIVER OF THE WEST

Mr. MAGNUSON. Mr. President, the largest and greatest river of the Western Hemisphere pouring into the Pacific Ocean is the mighty Columbia, arising in the Canadian Rockies, crossing my State of Washington, and for several hundred miles forming the boundary between Washington and Oregon.

Tributaries of the Columbia, including the 1,038-mile Snake, bisect Idaho, and reach into Wyoming, Montana, Utah, and Nevada.

What this great river system means to Pacific Northwest and Inland Empire Industry, commerce and economy is told by my distinguished colleague in the House of Representatives, the Honorable JULIA BUTLER HANSEN, in a guest editorial in the July Newsletter of the American Mail Line.

Mrs. HANSEN, whose congressional district extends from a few miles above famous Bonneville Dam to the Columbia's mouth, and whose childhood and much of her adult life has been spent on the banks of this great river, also weaves into her editorial some of its history, including early trade with the Orient, and in conclusion forecasts a golden future for this enormous river basin with unsurpassed potential.

Mr. President, I ask unanimous consent that the editorial, "River of West," by the Honorable JULIA BUTLER HANSEN, of Washington, be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RIVER OF THE WEST

(By Congresswoman JULIA BUTLER HANSEN, Committee on Appropriations, Subcommitmittee on Interior, Subcommittee on Foreign Operations)

Years ago, as a barelegged small girl fishing mudcats from the cannery dock at Cathlamet on the lower Columbia River, I began to dream of trade and the world it touched. As the last brigantines sailed upriver to load lumber, when blue-clad pigtailed Chinese crews came each spring to man the sprawling whitewashed salmon canneries, I began to understand the language and customs of other people.

Ever since that almost unbelievably leisurely era, I've realized that perhaps one who stands on the shore of a great moving river or at the edge of a sea touching far nations has perhaps a wider vision than that possessed by men sitting on the prairie. At least, there is the obligation for a longer look and deeper comprehension as to the width of the world and the lives of its people.

The sails of those ships, steamboat whistles in the fog, towboats with logs are part of a world of woven sea-touched magic which is the story of the Columbia River. Two centuries ago, the Columbia was known as the mysterious, undiscovered "River of the West." Thomas Jefferson was sure that it existed—some place beyond the high mountains—a mighty stream for ports, growth, and trade.

William Cullen Bryant said, "Here rolls the Oregon and hears nothing but the sound of its own dashing."

When Capt. John Kendrick and Robert Gray sailed unknown western waters they were under orders, "to avoid offense to any foreign power, to treat the natives with kindness and Christianity, to obtain a cargo of furs on the American coast and to proceed with the same to China and to return from China with a cargo of tea and carry the tea to Boston."

That was the distillate of our trade beginnings.

In 1792, 300 years after Columbus sailed for America, Gray crossed the bar of the Columbia and on May 11 of that year said, "We found this to be a large river of fresh water."

Later Vancouver explored our river, Britain and America developed it and finally America made it her own. From furs bound for Canton and London and farm products bound for "Owyhee" it has become in the 20th century a tremendous contributing factor to our national export trade.

In that quiet country where was once no sound but that of its own dashing 7,000,000 busy people now live—farmers, fishermen, shippers, manufacturers and workers in the forests, mills, and mines.

From the loneliness of those days when the small, weathered sails of Captain Gray's ship stood against that wide western horizon, we have moved with speed and progress. The Columbia has become one of the major waterways of the world. Ports on this great river, due to the intelligent leadership of business, labor and public legislative bodies are now among the most modern in the United States. Thousands of tons of wheat and other products are shipped by barge, rail and trucks to our ports. There is no single day that passes without the flag of some foreign nation flying against the western hills—still forested and green—as another ship sails out of the Columbia with Northwest commerce to far ports of this earth.

One of our leading trade partners is Japan. The State of Washington's commerce with the Far East rose from $42,911,000 in 1960 to $76,500,000 in 1963.

Southeast Asia, the Philippines, India, and other nations, with names almost as magic as the spices of old, are part and parcel of this ever-growing trade.

In the Columbia Basin also lies 40 percent of the nation's hydroelectric potential, almost unlimited fresh water, abundant recreation areas, commercial fishing.

There is today no end to the dream of growth in the land that surrounds the Columbia and there is no end also to the river that bears cargo and men in the eternal tides of time bound for the future.

LEGISLATIVE PROGRAM—FOOD AND AGRICULTURE ACT OF 1965

Mr. KUCHEL. Mr. President, if I may have the attention of the distinguished majority leader, I should like him to express his views on what may transpire in the Senate during the remainder of today, and what he contemplates will be our labors in the Senate tomorrow.

Mr. MANSFIELD. Mr. President in response to the questions raised by the distinguished acting minority leader, the Senator from California [Mr. KUCHEL], I first ask unanimous consent that H.R. 9811, the farm bill, be laid before the Senate immediately upon being reported.

Mr. KUCHEL. Is that bill at the desk yet?

Mr. MANSFIELD. Not yet, but it will be here by midnight.

Mr. President, I ask unanimous consent that the Senate proceed to consideration of H.R. 9811, the Food and Agriculture Act of 1965, and that it be made the pending business when reported.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H.R. 9811), to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

Mr. MANSFIELD. Mr. President, for the information of the Senate, various reports of committees will be allowed to be filed until midnight tonight. It is my hope that the farm bill will be the pending business at the conclusion of the morning business tomorrow; but for the information of the Senate and in response to the questions raised by the distinguished Senator from California [Mr. KUCHEL], tomorrow the Senate will take up and consider the following measures:

Calendar No. 655, H.R. 8027, a bill to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques and practices in State and local law enforcement and prevention and control of crime, and for other purposes.

The Senate should be prepared to take up, as soon as they are cleared, the following measures:

Calendar No. 658, S. 1349, a bill to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length.

Calendar No. 659, H.R. 5989, an act to amend section 27, Merchant Marine Act of 1920, as amended.

Calendar No. 660, S. 2142, a bill to simplify the admeasurement of small vessels.

Calendar No. 662, S. 897, a bill to provide for the establishment of the St. Croix National Scenic Waterway in the States of Minnesota and Wisconsin, and for other purposes.

Calendar No. 669, S. 2118, a bill to clarify sections 9 and 37 of the shipping Act of 1916, and subsection O(d) of the Ship Mortgage Act of 1920, and for other purposes.

It is hoped that tomorrow the highway beautification bill will be reported, and that it will be taken up as expeditiously as possible.

In addition, Calendar No. 635, H.R. 8469, to provide certain increases in annuities payable from the Civil Service Retirement and Disability Fund, and for other purposes may be considered tomorrow.

Any of the bills I have mentioned may be taken up tomorrow.

No further legislative business will be transacted this afternoon.

Therefore, the Senate should be on notice that a workload is in the offing. It is the hope of the leadership on both sides of the aisle that it will be possible to start work on the farm bill tomorrow. I hope it will be possible to dispose of the farm bill this week, even if it means having a Saturday session.

Mr. KUCHEL. I thank the Senator.

Mr. MAGNUSON. I should like to ask the Senator from Montana a question. I presume that we shall have adequate debate—of course, I know that we shall have it—on the farm bill. That debate may go on for 2 or 3 days. The Senator from Wisconsin and I and many other Senators are disturbed about the report to the effect that the dairy program has been taken out of the bill. Many other Senators are concerned with that situation. The provision is contained in the House bill. I expect that this provision will take a little time to discuss on the floor because of the great concern about the dairy section.

Mr. MANSFIELD. Yes; the dairy section is not the only section in disagreement.

Mr. MAGNUSON. At least the other features have been tackled in some respects, but the dairy section has been taken out completely. The Senator from Wisconsin and I will have a little to say about it.

LET US SAVE OUR COTTON INDUSTRY, NOT DESTROY IT

Mr. KUCHEL. Mr. President, let the RECORD show that with respect to the farm bill, which will be here before the Senate tomorrow and perhaps for a while during the week, I speak not only as a Californian, but as an American, in registering my own violent and vigorous objection to what, regretfully, the Committee on Agriculture and Forestry saw fit to do on the subject of cotton.

The administration made some recommendations to Congress in an effort to help the weakening economic position of American cotton. They were good recommendations. They had a tendency to eliminate needless subsidies. They had a tendency to lower the amount of cotton surpluses. They had a tendency to encourage free competition in cotton, unfettered by Federal financial soporifics. Such action is in the interest of the American taxpayers.

The House of Representatives voted the recommendations of the administration. Those recommendations were agreed upon by such able Members of the Senate as my friend the distinguished junior Senator from Georgia [Mr. TALMADGE].

I regret that the committee overruled what the administration asked for, and what the House of Representatives approved, and what I believe the Senate at long last will have approved when the debate on the proposed legislation has been terminated.

I recognize the great difficulty in finding a base upon which to cope with what many people in this country are calling the mess in agriculture. At any rate, I salute Senators on both sides of the aisle who interest themselves in the traditional American concept of individual American initiative.

So far as I am concerned, the Senate should review the extremely regrettable action of the committee in dealing with the problem of the cotton industry, which is in great distress and, after doing so, rectify the committee's errors, and approve what the administration has recommended.

Mr. President, if we are going to save the cotton industry of the United States from destruction, we are going to have to continue and strengthen and improve the one-price system.

We are going to have to do this to keep cotton competitive in the world market and competitive with manmade fibers in our domestic mills.

We simply cannot go back to the old, ruinous, two-price system as called for in the Senate committee bill. A return to the two-price system would mean the end of cotton in America.

Our domestic mills would turn more and more to synthetic fibers. Our cotton stocks would pile up ever higher and higher in our warehouses at great cost to the taxpayers. Our cotton would be priced out of the market, and this would mean eventual ruin to the cotton farmers of America.

We cannot afford, Mr. President, to continue high price supports and high loans that price our cotton out of the market and survive in either the world or the domestic trade.

We have got to go to a lower loan rate, and to a provision in H.R. 9811, as passed by the House, which would permit our efficient cotton farmers to stay out of the Government program, and produce as much as they want to plant for the lower world market price. Is not that the American system?

As I pointed out to the Senate only a few days ago, Mr. President, there is an urgent need for more quality, strong cotton to compete with synthetic fibers. Our California farmers produce this type of strong, high quality cotton, Mr. President. And, I think they ought to be allowed to produce more of it for the world market price, if they can do this efficiently and economically.

H.R. 9811, the House passed bill, provides that any cotton grower who would forego the Government loan, all Government payments, and all Government subsidies on his cotton, could grow for the world price of about 22 cents a pound without acreage restrictions.

We have some few growers in California who I believe would be adventurous enough to try growing cotton not only for the world market at the world price, but also for our own domestic textile mills at the world price, Mr. President, if they were permitted to do so.

Our domestic mills need more of this high quality cotton to blend with other cotton fibers in the manufacture of modern textiles. And they would use it if they could buy it at the world price.

This type of cotton would be used by the mills; it would not pile up in the warehouses, and it would mean increased use of cotton and less use of synthetics. And this cotton would be produced at no cost to the taxpayers. Should not that be an attractive feature to our fellow citizens?

Mr. President, if an American farmer chooses not to take a Government subsidy, he ought to be allowed to plant cotton to his heart's content and sell it at the world price.

The overplanting provision of H.R. 9811 would permit this to be done, and it is my firm belief that this would not have an adverse effect on the cotton program. Indeed, I believe it would contribute to increasing the competitiveness of cotton in both the world and domestic markets.

Mr. President, I do not necessarily favor each and every provision of H.R. 9811, but it is imperative that we continue and improve the one-price system for cotton. H.R. 9811 will do this, and it is a far better program than the Senate committee bill, which, in my judgment, would destroy our cotton industry.

The President of the United States has recommended that the present cotton program be extended with new measures designed to reduce the cost of the program and to cut down on the cotton surplus.

H.R. 9811 would do this, but the Senate committee bill would not.

The cotton carryover on August 1 of this year was 14.2 million bales, and a 1965 crop of more than 14.8 million bales is anticipated. At the present rate of domestic consumption and exports, the cotton carryover probably will rise to about 15.5 million bales by August 1, 1966. CCC will hold about 13 million bales of these stocks.

This is far too much cotton to be stored in our warehouses at the taxpayers' expense. The Senate committee bill will not sufficiently reduce this huge surplus. It would not improve our world competitive position. It would not reduce costs, as the President has advocated. It would materially add to them.

If the Senate committee bill were approved, the costs of the cotton program would be increased year by year, and surpluses would not be reduced to the extent that the public interest would require.

The so-called Ellender program of the Senate committee would cost a little more now than the one-price program of H.R. 9811, and the costs would increase year by year.

On the other hand, the low loan, direct payment, one-price program would cost slightly less to begin with, and in each succeeding year its cost would be from $200 million to $300 million less than the Ellender plan.

The Ellender program would reduce our cotton surpluses down to around 12.5 million bales, but this is not enough reduction.

We need to get our surpluses down to around 9 million bales. The low loan, direct payment, one-price program of H.R. 9811 and the amendments rejected by the Senate committee would bring our surplus down below the 9 million figure.

One of the big problems of our cotton industry is how to increase our exports. We are losing out in the world market, which is a mounting tragedy in this era of imbalance of payments in our foreign trade.

Our cotton exports last year were 4.2 million bales and for this year are estimated at about the same level—down from 5.7 million bales in 1963–64. World production at record high levels, and increased consumption of manmade fibers are the major factors responsible for our export situation.

What to do about this is one of the most difficult questions confronting us. Everyone agrees that cotton should be offered for sale competitively in the world market. But, how is this to be accomplished?

Do we allow our cotton growers to produce for export on a competitive basis? Or, do we have the U.S. grower produce cotton for export at a price higher than the world prices—protected by Government price-support programs—and then have the price lowered to competitive world levels at Government expense and by bureaucratic decision?

The latter method already has been tried and found wanting. The Senate committee bill, would simply go back to this plan that already has been proven to be a failure, and a costly failure at that.

Price support loans nearer world price levels, with supplementary payments to producers participating in the cotton

program, would be far more desirable, far more flexible, and would enable the market to determine prices.

Under the program as adopted by the House, we can increase our exports without such high Government expenditures, and at the same time we can maintain farm income at reasonable and decent levels.

Mr. President, I do not want to see the efficient cotton producers of California and other areas of our Nation penalized and hamstrung by continued restrictive policies of Government controls. I want to see them free to plant, without Government subsidies, for the world market.

I want to see us get the Government out of this business of buying, storing, and selling so much cotton. This ought to be the business of the cotton trade, not of the Government.

Mr. President, I appeal to my colleagues on both sides of the aisle—let us strike the chains from our cotton farmers. Let us vote down the ruinous cotton provisions of the Senate committee bill, and substitute for it the cotton section of H.R. 9811.

Do not destroy our cotton industry and our cotton farmers. Save this industry and the cotton farmers with a cotton program that makes some sense. Thus, will the national economy be strengthened, and the theory of American initiative be vindicated.

THE STEEL STRIKE—PRESIDENT JOHNSON'S EFFORTS IN SETTLING MANAGEMENT-LABOR DISPUTES

Mr. MANSFIELD. Mr. President, I should like to state how happy and pleased I am that the producers of steel and the makers of steel, management and labor, were able to get together over the past weekend.

I believe that much credit should go to them for their understanding of what the effects of a steel strike would be on the country. Great credit should go to the President of the United States who, for the second time, has performed a task of significance to the economic welfare of the country in exerting his personal efforts to bring about a settlement of the differences in the steel industry.

The Senate may recall that when the President first took office, he was largely responsible for bringing about a settlement of the differences within the railroad industry—differences which had plagued previous administrations for several years, and which were finally adjudicated through the personal interest he took in them.

I am delighted that this settlement in the steel industry has taken place. I am glad to note, from newspaper accounts, at least, that the settlement remains within the guidelines set down by the administration.

I am very hopeful that the settlement of this strike will serve as an indicator to other industries and to organized labor that it is much better to settle differences than to try to work them out on the bricks or on the pavement.

I am glad that a week or so ago it was finally possible, at long last, to bring about a settlement of the maritime strike, a strike which never should have occurred in the first place, and which caused untold damage to the economy of this country, a strike which now happily has been settled.

I hope that this pattern will continue and will be applied to other segments of the country.

Mr. BAYH. Mr. President, the most welcome news of the past weekend was the successful negotiation of a 35-month contract between the major American steel producers and the United Steelworkers of America.

President Johnson is to be commended for the role he played in this settlement. He asserted the public interest into the negotiation but did not break into the relationship between management and labor. He urged them to reach their own agreement, without projecting himself into the issues of the negotiations.

The possibility of a steel strike had hung heavily on the Nation's economic horizon for most of this year. With the negotiations beginning during the midst of the United Steelworkers of America union elections, it was difficult to see how the bargaining could be carried out effectively. The union and management wisely agreed to an extension of the old contract to allow the United Steelworkers of America's new president, I. W. Abel, to take control of the union's negotiations.

With the September 1 strike deadline approaching, the President found it necessary to ask for another extension—to September 8—and to invite the negotiators to Washington where he could personally assist in the talks. He made it clear that the public policy of this country is to prevent major work stoppages in essential industry. Although steel accounts for only 4 percent of America's industrial output, it is still so basic to our manufacturing process that any prolonged closing would have a disastrous effects on the entire country.

The President insisted that with the Vietnam crisis, steel and basic industrial production is essential to our national security. He suggested, and rightly so, that any interruption in the production of vital war materials at this time was unpatriotic and might be considered by other nations as a division of support for American foreign policy.

To their credit, the negotiators were able to come to an agreement on Friday. This agreement was formally accepted by the Wage Policy Committee of the Steelworkers Union on Sunday.

We must voice our appreciation to both the steel management and labor for considering the public consequences of their private business. Their response to the urgings of the President is typical of their reactions to the public need in recent years.

The agreement itself has been termed by the President as "a fair one, designed to prevent inflation which would damage our Nation's prosperity." It is gratifying that the pact can be noninflationary. With the general business upswing crowding capacity, any major price hike in steel could bring on inflationary pressures that we could ill afford.

As we view the situation from Washington, we reflect on the impact on the economy and world politics. But to the thousands of steelworkers and their families that I represent, the steel pact means continued good times.

The small grocer in Gary knows that next week he will be cashing paychecks for his regular customers instead of filling strike orders from the business agent. The wife whose husband works in the mill knows now that she can buy the children's back-to-school clothes.

A steel strike is a very human thing—a tragedy to the people whose livelihood depends on the men in the mill.

Because their President cared enough for them, for the economy, and for the fighting men in Vietnam—the strike has been averted. He was not content to sit idly by and let a strike take its toll. He did not bring the Government into interference with the free market system. He did bring the great moral strength of his office, his own good will, and his great powers of persuasion to bear on the problem and caused its solution.

I applaud and I offer thanks to the leaders of the steel industry and to the President for their significant contribution to the American economy by their successful negotiations last week. The example of the steel leadership working with its Government to keep the wheels of industry turning is good for all businesses to see.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. MANSFIELD. Mr. President, I assume, barring the appearance of other Senators in the Chamber, that at the conclusion of the remarks of the distinguished Senator from Iowa [Mr. MILLER], the Senate will stand in adjournment.

I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSALS FOR SETTLEMENT OF THE WAR IN VIETNAM

Mr. MILLER. Mr. President, on August 16 I expressed a concern that some misleading interpretations are being placed on what the United States will settle for in Vietnam. I refer Senators to the CONGRESSIONAL RECORD of August 16, 1965, pages 20546–20552.

I was concerned, as I said at that time, over suggestions that we may settle for less than what the President has stated to be our minimal objectives.

I remarked that:

> This is no time to give comfort to those who promote aggression. Granted that our own leaders intend to follow a firm policy, they should avoid any statements which might be construed as a sign of deviation from that policy.

It was also pointed out at that time that:

> 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.

President Johnson's statement at Johns Hopkins University was also repeated:

We will not withdraw, either openly or under the cloak of a meaningless agreement.

All of us realize that great priority has been given by the President to bring about a cessation of hostilities in Vietnam and to bring the participants to the conference table.

But there is something of higher priority than that: It is the minimal objectives clearly stated by the President of the United States for the war in Vietnam. These objectives 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; and 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 Vietnam. Any cessation of hostilities and any action at the conference table must be premised on the achievement of these minimal objectives. And any timetable for cessation of hostilities and participation at the conference table cannot take priority over them.

It is with these thoughts that I turn to the statement on the floor of the Senate made by the distinguished majority leader on September 1. It has been widely reported that the views he expressed were those of the President, but whether this is so or not I do not know.

The majority leader set forth the four conditions for peace advanced by Hanoi in response to the President's Johns Hopkins speech. He then sought to show that these conditions might be reconcilable with President Johnson's minimal objectives.

I find it difficult to reconcile them. Hanoi's condition that the internal affairs of South Vietnam be determined by the South Vietnamese in accordance with the National Liberation Front program is repugnant to the concept of freedom for the people of South Vietnam. The peaceful, so-called reunification of all of Vietnam is a nice-sounding objective, but when one realizes the impossibility of holding genuinely free elections in a Communist dominated country, the objective lacks substance. It would seem to run counter to the only American interpretation which can be placed on President Johnson's stated objective 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. How could there be any such international supervision without the foreign interference which Hanoi clearly demands be left out?

The distinguished majority leader also made this statement:

But unless the military conflict is to expand and to continue into the indefinite future, whether it be 3, 5, 10, or 20 years of war, the degree of these automatic reflexes must be tested in negotiations.

I do not believe that such a choice exists at all. The choice is between the realization of the minimal stated objectives of the President of the United States by negotiations and settlement or by war and settlement. It is the leaders in Hanoi—not in the United States—who have made the choice. It is up to them—not us—to decide whether to stop their aggression. Their decision will determine the length and intensity of the war. When they realize that aggression does not pay off—that the price of their decision to continue the war is too dear, they will agree to the President's minimal objectives in a settlement—and not before. This need not be any 3, 5, 10, or 20-year war at all; but its length will depend greatly on the President's decision on how much more cost will be paid by North Vietnam and how soon in order to persuade the leaders in Hanoi that continued war is unacceptable to them.

In this connection, a timely lead editorial entitled "We're Talking Too Much," was published in Monday's Washington Evening Star. The editorial points out that all of the talk about negotiations which has been going on from within the United States might be taken as an indication of irresolution on our part. It lays a foundation for the hope in the hearts of the leaders in Hanoi that the United States will not have the patience and perseverance which the President says we shall have to see it through, so that our minimal objectives will be attained and the world will know that aggression does not pay off. I ask unanimous consent that the editorial be printed in the RECORD, along with an editorial from the Des Moines Register of September 5, entitled "Mansfield's Peace Plan," which points out that the majority leader's suggestions "are still far from those offered to date by North Vietnam and its ally, the National Liberation Front of South Vietnam—Vietcong."

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

[From the Washington, D.C., Evening Star, Sept. 6, 1965]

WE'RE TALKING TOO MUCH

Senator MANSFIELD, the majority leader, made a speech the other day which was essentially a restatement of our aims in Vietnam. He threw in two additional points, that there must be provision prior to negotiations for a "secure amnesty" and a willingness on all sides to accept a "cease-fire and a standfast." Otherwise, there was nothing new in it.

Since this speech is supposed to have had the prior approval of the President, there is reason to note with some concern Senator MANSFIELD's reiteration of the Johnson statement of July 28: "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 of Vietnam under international supervision."

There is all the difference in the world between the free elections in the South and elections throughout all Vietnam. In the former case there would be a right of choice. In the second, there would be none, for such an election would surely be won by the Communists. To agree to any such condition as this would be to capitulate to the Communists, despite all our brave words, and to sell the South Vietnamese down the river. We hope that this was not the essential message that Senator MANSFIELD, with the President's approval, was trying to get across to Hanoi.

It seems to us, furthermore, that the time has come to stop making peace overtures to the Communists every hour on the hour. The fighting has not been going well for them, and they must know that they cannot win this war. Why not let them sweat it out for a while instead of giving them even slight reason to think that we are tiring of the struggle and ready to call it a day?

Senator JAVITS was among those who applauded the MANSFIELD speech. He said we should constantly reiterate our willingness to negotiate, which, in fact, the President has been doing. Then the New York Senator added: "I hope very much that these efforts are not misunderstood as indicating an irresolution on our part."

With this, he put his finger on what may well be the Achilles' heel of our repeated bids for peace. We should stop talking about our willingness to talk, and let our willingness to fight speak for itself for a while.

[From the Des Moines Sunday Register, Sept. 5, 1965]

MANSFIELD'S PEACE PLAN

Two new sets of peace proposals have appeared recently for the Vietnam war: an interview given by South Vietnamese Premier Nguyen Cao Ky including his peace terms; and a speech in the U.S. Senate by Majority Leader MIKE MANSFIELD, ostentatiously approved by the White House, summarizing U.S. terms for peace.

Ky wants time to overcome "many injustices" in South Vietnam before he faces peace negotiations and possible free elections. This doesn't fit in too well with U.S. efforts to get pease as soon as possible, perhaps this fall or winter—but the frank admission of injustices is a new and wholesome attitude for a South Vietnamese to take. South Vietnam can be lost on either the military front or the economic and social front; but it cannot be "won" without solid accomplishments in both.

Ky would like North Vietnamese troops withdrawn from South Vietnam under firm guarantees before he starts peace negotiations, and he wants American troops to stay on until his government asks them to leave. This goes beyond U.S. thinking. But as a hard bargaining position this makes some sense—providing Ky's forces and his U.S. allies win some more victories.

Senator MANSFIELD's speech is much more realistic in the terms it presents. MANSFIELD has been (1) against expanding the Vietnam war; (2) for full debate and full news coverage of it, without fear or favor; (3) for President Johnson's effort to make peace and to hang on in the meantime. In public, MANSFIELD has generally supported administration policy; in private he is said to be critical.

So there is special significance in his appearing this time as administration spokesman, with public congratulations by Vice-President HUBERT HUMPHREY and a White House statement that the speech "reflects the sentiment of the Johnson administration." MANSFIELD himself avowedly based the speech on recent presidential speeches, with "clarifications" of his own.

The Mansfield-Johnson peace terms call for a verified free choice by the South Vietnamese people of their own government and their own destiny, which may be independence of reunion with North Vietnam if they so choose. The terms call also for withdrawal of all foreign forces and bases throughout Vietnam, North and South, once peace is established and adequate international guarantees for noninterference in Vietnam, Laos and Cambodia are agreed on.

MANSFIELD added suggestions for an amnesty and a cease-fire as essential to negotiations.

These terms are still far from those offered to date by North Vietnam and its ally, the National Liberation Front of South Vietnam (Vietcong). They want to get the U.S. troops and bases out, but not the North Vietnamese, and they want reunification of Vietnam under elections stacked in favor of the Communists. But they may be doing some rethinking under the impact of the heavy U.S. poundings in the field, and the still heavier U.S. buildup for future hostilities if the war continues.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 1 o'clock and 4 minutes p.m.), in accordance with the previous order, the Senate adjourned until tomorrow, Wednesday, September 8, 1965, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations, confirmed by the Senate September 7, 1965:

EXPORT-IMPORT BANK OF WASHINGTON

Hobart Taylor, Jr., of Michigan, to be a member of the Board of Directors of the Export-Import Bank of Washington.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Ralph K. Huitt, of Wisconsin, to be an Assistant Secretary of Health, Education, and Welfare.

U.S. NAVY

Rear Adm. Alexander C. Husband, Civil Engineer Corps, U.S. Navy, to be Chief of the Bureau of Yards and Docks in the Department of the Navy for a term of 4 years.

U.S. ARMY

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3392:

Brig. Gen. Richard Charles Kendall, O1184680, Adjutant General's Corps.

Brig. Gen. Howard Samuel McGee, O387469, Adjutant General's Corps, to be major generals.

DEPARTMENT OF JUSTICE

Keith Hardie, of Wisconsin, to be U.S. marshal for the western district of Wisconsin for the term of 4 years.

George A. Bukovatz, of Montana, to be U.S. marshal for the district of Montana for the term of 4 years.

Robert Nelson Chaffin, of Wyoming, to be U.S. Attorney for the district of Wyoming for the term of 4 years.

IN THE MARINE CORPS

The nominations beginning William L. Atwater, Jr., to be colonel, and ending William J. Zaro, to be colonel, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on August 23, 1965.

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 7, 1965

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore (Mr. ALBERT).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ALBERT) laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,
September 7, 1965.

I hereby designate the Honorable CARL ALBERT to act as Speaker pro tempore today.

JOHN W. MCCORMACK,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with this verse of the Scriptures: II Thessalonians 3: 3: *But the Lord is faithful, who shall stablish you, and keep you from evil.*

Almighty God, we thank Thee for this moment of prayer and meditation in the midst of hurrying days. Give us open minds and responsive hearts and may we hear and heed Thy voice speaking peace unto our souls.

Always and everywhere we need Thee; in our weakness to support and sustain us and in our strength to discipline and direct us.

Grant that our eyes may be open to the higher values of life and the eternal worth of every human soul.

As we have entered into the labors of others, so may we work while it is yet day that those who succeed us may enter into a richer inheritance, and be brought into union with the abiding life of God without whom our lives are shrouded in impenetrable mystery and end in futility.

In a world of racial rancor and industrial strife and discord, where we have not learned to live together, show us how we may stop the madness of it all and live with one another in fraternal fellowship.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, September 3, 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, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 9567. An act to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 9567) entitled "an act to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MORSE, Mr. HILL, Mr. MCNAMARA, Mr. YARBOROUGH, Mr. CLARK, Mr. RANDOLPH, Mr. KENNEDY of New York, Mr. PROUTY, Mr. JAVITS, and Mr. DOMINICK to be the conferees on the part of the Senate.

DISPENSING WITH CALL OF PRIVATE CALENDAR

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar scheduled for today be transferred until tomorrow.

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

There was no objection.

CONSENT CALENDAR

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

OBSERVING THE 250TH ANNIVERSARY OF HOPKINTON, MASS.

The Clerk called House Resolution 439.

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

Mr. HALL. Mr. Speaker, reserving the right to object, and I shall not object, I simply want to inquire if the rather lengthy letter and research by the gentleman from Massachusetts [Mr. DONOHUE], compiled by the Library of Congress, has been made a part of the committee record? This is an excellent report. I have seen it personally. All of the House provisions of the Consent Calendar have been met, and I commend the gentleman and the committee for accomplishing this within the rules we establish for ourselves.

Mr. DONOHUE. I will advise the gentleman copies were mailed to the other objectors, and one has been forwarded to the Committee on the Judiciary.

Mr. HALL. I thank the gentleman.

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

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

H. RES. 439

Whereas 1965 marks the two hundred and fiftieth anniversary of the founding of the town of Hopkinton, Massachusetts; and

Whereas this town and its people have made important contributions to all aspects of the life of this Nation; and

Whereas the observance of this anniversary will be celebrated in Hopkinton, Massachusetts, on June 25, 26, 27, 1965, with public ceremonies, parades, concerts, and other public gatherings with widespread participation of not only the townspeople but guests and visitors from many places; and

Whereas Hopkinton is a beautiful community, rich in historic interest, well known for its patriotic contributions, noted for its

many famous sons and daughters who distinguished themselves in many fields of endeavor and many facets of American civilization: Now, therefore, be it

Resolved, That the House of Representatives extends its greetings and felicitations to the people of Hopkinton, Massachusetts, on the occasion of the two hundred and fiftieth anniversary of this community, and the House of Representatives further expresses its appreciation for the splendid services rendered to the Nation by the citizens of Hopkinton during the past two hundred and fifty years.

With the following committee amendment:

On pages 1 and 2, strike all "Whereas" clauses.

The committee amendment was agreed to.

The House resolution was agreed to.

A motion to reconsider was laid on the table.

LIABILITY TO THE UNITED STATES UNDER THE VETERANS' LOAN PROGRAM

The Clerk called the bill (H.R. 7571) to amend title 38 of the United States Code with respect to liability of individuals arising out of certain loans made, guaranteed, or insured by the Administrator of Veterans' Affairs.

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

Mr. PELLY. Mr. Speaker, reserving the right to object, I note in connection with this bill the Veterans' Administration is opposed to it, and the Housing and Home Finance Agency has deferred to the views of the Veterans' Administration.

Under the rule established by the bipartisan committee of objectors, it is my understanding that only legislation on which there is a favorable agency report is considered to qualify on the Consent Calendar.

Therefore, Mr. Speaker, I withdraw my reservation of objection and ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

PROVIDING TRANSPORTATION FOR IMMEDIATE FAMILIES OF AMERICAN NATIONAL RED CROSS PERSONNEL

The Clerk called the bill (H.R. 8848) to amend title 10, United States Code, to provide transportation for the immediate families of personnel of the American National Red Cross serving with the Armed Forces.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask someone what is meant by the words "to provide transportation for the immediate families of personnel of the American Red Cross serving with the Armed Forces." In what way do these representatives serve with the Armed Forces? Is there anything obligatory about their service with the Armed Forces? What is meant by this language?

Mr. FISHER. The purpose of the bill is to permit traveling space to be allocated to the dependents of Red Cross personnel who are now entitled to it but who must wait until the space becomes available.

Mr. GROSS. In other words, the Government is now about to embark upon paying the expenses for families or members of the Red Cross; is that correct?

Mr. FISHER. The members of the Red Cross who are involved in this situation that we are dealing with in this legislation only go when they are requested to go somewhere by the military, wherever that may be. Under the present law, their travel may be provided but it is on a space available basis. This would give them a priority for obtaining space when they are requested by the military to go.

Mr. GROSS. The gentleman says when they are requested to go by the military. Is there anything obligatory on representatives of the Red Cross to go anywhere on the orders of the military?

Mr. FISHER. There is nothing obligatory.

Mr. GROSS. That is what I thought. Is there anything obligatory upon the Salvation Army, which in my opinion on the basis of experience in World War I, does an equal if not a better job than the Red Cross in many respects, with respect to services provided members of the Armed Forces. I see nothing here to include the Salvation Army. Did you give any consideration to the Salvation Army?

Mr. FISHER. I think not.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ELIMINATION OF REIMBURSEMENT PROCEDURES REQUIRED AMONG THE ARMED FORCES FOR INPATIENT MEDICAL OR DENTAL CARE

The Clerk called the bill (H.R. 10234) to amend section 1085 of title 10, United States Code, to eliminate the reimbursement procedure required among the medical facilities of the Armed Forces under the jurisdiction of the military departments.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I simply want to ask the distinguished chairman of the subcommittee, the gentleman from Texas [Mr. FISHER] if in his opinion this could in any manner or wise be interpreted as the first step of taking over military medical care in Government civilian hospitals by the now passed law for civilian medicare? In other words, the treatment of military dependents and/or even of the military and the retirees in HEW hospitals?

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

Mr. HALL. I am delighted to yield to the gentleman.

Mr. FISHER. In response to the gentleman's question, it is my opinion and the opinion of counsel for the committee who studied this, and in response to the gentleman's inquiry that was previously made, that it cannot have that effect at all and it is not designed to have that effect.

Mr. HALL. Mr. Speaker, I have the gentleman's reply in writing and the action of the committee of the Armed Services Committee and counsel of the Defense Department, and I am delighted that this is the situation, and the legislative record having been made, Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 10234

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1085 of title 10, United States Code, is amended to read as follows:

"§ 1085. Medical and dental care from another executive department: reimbursement

"If a member or former member of an armed force under the jurisdiction of a military department, or his dependent receives inpatient medical or dental care in a facility under the jurisdiction of the Secretary of Health, Education, and Welfare, or if a member or former member of a uniformed service not under the jurisdiction of a military department, or his dependent, receives inpatient medical or dental care in a facility of an armed force under the jurisdiction of a military department, the appropriation for maintaining and operating the facility furnishing that care shall be reimbursed at rates established by the Bureau of the Budget to reflect the average cost of providing such care."

SEC. 2. The analysis of chapter 55 of title 10, United States Code, is amended by striking out the following item:

"1085. Medical and dental care from another uniformed service: reimbursement."

and inserting the following item in place thereof:

"1085. Medical and dental care from another executive department: reimbursement."

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 THE CHARTER OF THE AMERICAN HOSPITAL OF PARIS

The Clerk called the bill (H.R. 9877) to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask

someone why there is any limitation at all on this hospital in Paris?

Mr. CELLER. The act was passed many years ago with a limitation of $2 million. We increased the amount of its capital to $8 million, I think, in 1929. Now we are asking to increase it beyond that. There are no Government moneys involved here. It is privately endowed. It probably might well have been originally arranged that there would be no limitation. I cannot answer the gentleman's question as to why there was originally a limitation. But that is the condition we find this in and we are asking now because of the increased expenditures and patients that the amount of the capital be increased.

Mr. GROSS. I was curious to know why there has ever been any limitation upon the amount of money that could be spent upon this hospital.

Mr. CELLER. I cannot give the reason. That was passed many years ago.

Mr. GROSS. I call the attention of the gentleman to the language which appears on page 1 of the report, as follows:

The purpose of this bill is to remove a limitation on the total value of property which the American Hospital of Paris may own.

But a limitation of $8 million is placed in the bill. I do not understand the language which appears on page 1 in relation to the bill which provides a definite limitation. Perhaps someone made a mistake.

Mr. CELLER. Possibly that might be correct. I do not know.

Mr. GROSS. Mr. Speaker, I withdraw my objection.

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

H.R. 9877

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to incorporate the American Hospital of Paris", as amended, approved January 30, 1913 (37 Stat. 654), is further amended by striking out: ": *Provided,* That the total value of the property owned at any one time by the said corporation shall not exceed $8,000,000".

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.

AMENDMENTS TO MARKETING AGREEMENT ACT OF 1937

The Clerk called the bill (H.R. 10206) to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

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

Mr. PELLY. Mr. Speaker, reserving the right to object, it is my understanding that there will be an amendment to take out of the bill the onion marketing order. If that is the case, then I certainly would not wish to have the bill passed over.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I am glad to yield to the gentleman from Texas.

Mr. DE LA GARZA. In fact, the bill contains other matters. There were about six bills combined and the onion matter was inserted into this bill. I have an amendment prepared and have no objection to taking out that part.

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

Am I correct in what I understand the bill, if passed, would do? Would it not make eligible for marketing agreements the following products: cherries, carrots, citrus fruits—not onions—Tokay grapes, fresh pears, dates, plums, nectarines, celery, sweet corns, limes, and avocados?

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

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

Mr. DE LA GARZA. No. They already have marketing agreements for those items. The bill would only allow them to advertise and assess the members of the industry through a vote and an agreement. It would let them advertise their products. That is all the bill would do. It would not create any new marketing order or marketing agreement.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, there is a provision for advertising. Do I correctly understand that as a result of the provision for advertising that the industry will pay the cost?

Mr. DE LA GARZA. Yes. The members of the industry will assess themselves.

Mr. JOHNSON of Pennsylvania. The gentleman has said that they will assess themselves as growers. Would the assessment be in the nature of tax on those commodities or fruits and vegetables to the end that the ultimate consumer would have to pay upward of a 4- to 5-percent tax on those items?

Mr. DE LA GARZA. No, it will not work out in that way. This is a very small or minimum effort on the part of the growers and producers themselves. Let me assure the gentleman that all of the associations referred to relative to each one of the items which it is desired to have included have asked that this action be taken. They are unanimous in requesting that this be done.

Also this does not apply to all the items that have been mentioned. Some already have them. Of necessity, the items included citrus, carrots, and all the other products named, including Tokay grapes, cherries, and pears. I think Mrs. MAY was interested in pears. As far as advertising is concerned, there would be no great overall increase in the cost of advertising that would raise the cost to the consumer or anything of that sort. It is only a small amount that the producers themselves would allow themselves to take off in order that they might advertise their particular product. That is all it is.

Mr. JOHNSON of Pennsylvania. With the understanding that the cost of the advertising will not be passed on to the ultimate consumer and added to the cost of the product, I withdraw my reservation of objection.

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

H.R. 10206

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1933, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended as follows:

(a) Section 2(3) is amended by inserting "such container and pack requirements provided in section 8(c)(6)(H)", immediately after "establish and maintain".

(b) Section 8c(2)(A) is amended by inserting "and onions" immediately after "(not including vegetables other than asparagus").

(c) The proviso at the end of section 8c(6)(I) is amended by inserting ", carrots, citrus fruits, onions, Tokay grapes, fresh pears, dates, plums, nectarines, celery, sweet corn, limes, or avocados" immediately after "applicable to cherries".

AMENDMENT OFFERED BY MR. DE LA GARZA

Mr. DE LA GARZA. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DE LA GARZA: On page 1, beginning on line 10, strike out all of subsection (b).

The amendment was agreed to.

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

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

There was no objection.

Mr. McFALL. Mr. Speaker, I wish to commend the gentleman from Texas [Mr. DE LA GARZA] for sponsoring the needed legislation and the gentleman from Hawaii [Mr. MATSUNAGA] for his work as subcommittee chairman in bringing it before the House. The Tokay growers in my district in California desire to have this change in their marketing order to permit them to advertise. It is permissive only for them to do if they desire. It will facilitate their marketing procedures and should result in beneficial results to both growers and consumers.

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.

RENTAL OF FOREST SERVICE EMPLOYEES' PROPERTY

The Clerk called the bill (S. 1689) to amend paragraph (a) of the act of March 4, 1913, as amended by the act of January 31, 1931 (16 U.S.C. 502).

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

S. 1689

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (a) of the Act of March 4, 1913, as amended by the Act of January 31, 1931 (16 U.S.C. 502), is amended to read as follows: "(a) To hire or rent property from employees of the Forest Service for the use of that Service, whenever the public interest will be promoted thereby: *Provided,* That the aggregate amount to be paid permanent employees under authorization of this subsection, exclusive of obligations occasioned by fire

emergencies, shall not exceed $20,000 in any one year."

With the following committee amendment.

On page 1, beginning on line 8, strike out the colon and the proviso through page 2, line 2, and insert: "As soon as practicable after the end of each fiscal year the Secretary shall transmit to the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a statement of rentals under the authority of this subsection during the fiscal year."

The committee amendment was agreed to.

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.

ACQUISITION OF LANDS WITHIN THE UINTA NATIONAL FOREST, UTAH

The Clerk called the bill (S. 1764) to authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah, by the Secretary of Agriculture.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I should like to interrogate one of the chief sponsors of this bill. I should like to have an explanation of the bill.

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

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

There was no objection.

PRESERVATION OF RETIREMENT AND INSURANCE BENEFITS FOR HOLDERS OF CONGRESSIONAL STAFF FELLOWSHIPS

The Clerk called the bill (H.R. 10553) to preserve the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959 for congressional employees receiving certain congressional staff fellowships.

Mr. GROSS. Mr. Speaker, perhaps we should have an explanation of this bill.

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

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

There was no objection.

EXTENDING FOR 2 YEARS THE EXISTING AUTHORITY FOR THE ERECTION IN THE DISTRICT OF COLUMBIA OF A MEMORIAL TO MARY McLEOD BETHUNE

The Clerk called the Joint Resolution (S.J. Res. 89) extending for 2 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune.

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

S.J. RES. 89

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective June 1, 1965, the last sentence of the joint resolution entitled "Joint resolution authorizing the erection in the District of Columbia of a memorial to Mary McLeod Bethune", approved June 1, 1960 (74 Stat. 154), is amended by striking out "within five years" and inserting in lieu thereof "within seven years".

The 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.

PROVIDING FOR THE DISPOSITION OF JUDGMENT FUNDS OF THE KLAMATH AND MODOC TRIBES AND YAHOOSKIN BAND OF SNAKE INDIANS, AND FOR OTHER PURPOSES

The Clerk called the bill (S. 664) to provide for the disposition of judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, and for other purposes.

Mr. PELLY. Mr. Speaker, at the request of a Member who could not be present today, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

PROVIDING FOR THE ASSESSING OF INDIAN TRUST AND RESTRICTED LANDS WITHIN THE LUMMI INDIAN DIKING PROJECT ON THE LUMMI INDIAN RESERVATION IN THE STATE OF WASHINGTON, THROUGH A DRAINAGE AND DIKING DISTRICT FORMED UNDER THE LAWS OF THE STATE

The Clerk called the bill (H.R. 3715) to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State.

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

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

There was no objection.

PROVIDING FOR THE DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT IN FAVOR OF THE OMAHA TRIBE OF NEBRASKA, AND FOR OTHER PURPOSES

The Clerk called the bill (H.R. 8917) to provide for the disposition of funds appropriated to pay a judgment in favor of the Omaha Tribe of Nebraska, and for other purposes.

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

H.R. 8917

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall add to the roll of the Omaha Tribe of Nebraska, prepared pursuant to section 1 of the Act of September 14, 1961 (75 Stat. 508), the names of all children living on the date of this Act who were born after September 14, 1961, and who possess aboriginal Omaha blood of the degree of one-fourth or more: *Provided,* That no child who is enrolled with any other tribe of Indians shall be added to the roll under the provisions of this Act.

SEC. 2. The roll prepared pursuant to the Act of September 14, 1961, with the additions authorized by section 1 of this Act, shall constitute the membership roll of the Omaha Tribe of Nebraska as of the date of this Act, and children who are born after the date of this Act may be enrolled if they meet the requirements of article II, section 1(b) of the tribal constitution, or any amendment thereof.

SEC. 3. From the funds on deposit in the Treasury of the United States to the credit of the Omaha Tribe that were appropriated by the Act of June 9, 1964, to pay a judgment obtained by the tribe in Indian Claims Commission docket numbered 138, after deduction of attorney fees, litigation expenses, and such sums as may be required to distribute individual shares, the Secretary of the Interior shall make a per capita distribution of no more than $270 to each person living on the date of this Act whose name appears on the roll prepared pursuant to the provisions of sections 1 of this Act. The balance of such funds and the interest thereon, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary. The amount of $150,000 of said funds and any interest thereon shall not be distributed, advanced, or expended until said $150,000 and any interest thereon becomes available for disbursement pursuant to the terms of the final judgment dated April 14, 1964, by the Indian Claims Commission in docket numbered 138.

SEC. 4. Sums payable to enrollees or to their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures as the tribal governing body, with the approval of the Secretary, determines will adequately protect the best interests of such persons. Proportional shares of heirs or legatees amounting to $5 or less shall not be distributed and such amounts shall escheat to the Omaha Tribe of Nebraska.

SEC. 5. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

SEC. 6. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

With the following committee amendment:

Strike all after the enacting clause and insert in lieu thereof the following:

"That from the funds on deposit in the Treasury of the United States to the credit of the Omaha Tribe of Nebraska that were appropriated by the Act of June 9, 1964, to pay a judgment obtained by the tribe in Indian Claims Commission docket numbered 138, after deduction of attorney fees, litigation expenses, and such sums as may be required to distribute individual shares, the Secretary of the Interior shall make a per capita distribution of no more than $270 to each person living on the date of this

Act whose name appears on the roll of the tribe prepared pursuant to section 1 of the Act of September 14, 1961 (75 Stat. 508), and to each child living on the date of this Act who was born after September 14, 1961, and who possesses aboriginal Omaha blood of the degree of one fourth or more except for any such child who is enrolled with any other tribe of Indians. The balance of such funds and the interest thereon, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary. The amount of $150,000 of said funds and any interest thereon shall not be distributed, advanced or expended until said $150,000 and any interest thereon becomes available for disbursement pursuant to the terms of the final judgment dated April 14, 1964, by the Indian Claims Commission in docket numbered 138."

The committee amendment was agreed to.

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

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

There was no objection.

Mr. HALEY. Mr. Speaker, in explanation of H.R. 8917, may I state that this is another piece of legislation to distribute judgment funds to an Indian tribe. The Omaha Tribe of Nebraska was awarded $1¾ million by the Indian Claims Commission in its suit against the United States. Under the treaties of 1825 and 1827, the Indians ceded portions of their land holdings in Iowa and Missouri to the United States. In 1952 attorneys for the tribe filed a case in the Indian Claims Commission claiming that inadequate compensation had been made by the Government in payment for the land. In 1963 the Commission rendered a decision favorable to the Omahas and recommended payment amounting to $1,750,000. On June 9, 1964 funds were appropriated to pay the judgment and the funds are now in the Treasury accumulating interest at 4 percent per annum.

Our bill provides that after payment of necessary attorney and litigation expenses the Secretary of the Interior shall make a per capita distribution of not more than $270 to each Omaha Indian whose name appears on the tribal roll prepared pursuant to the act of September 14, 1961, when an earlier settlement was made to the same tribe, and also to each living child born after September 14, 1961, who possesses Omaha blood in the amount of one-quarter or more unless the child is enrolled with another tribe. The remainder of the judgment plus accrued interest may be expended for purposes authorized by the tribal governing body and approved by the Secretary of the Interior.

Because of a possible conflicting claim, $150,000 of the principal amount is to be withheld pending settlement of a docket the Yankton Sioux has before the Indian Claims Commission.

Sections 2, 3, 4, and 5 of the bill are the usual provisions placed in judgment bills.

H.R. 8917 was amended in the committee in order to clarify a blood quantum difference between the tribal constitution and the rules under which an earlier judgment fund was distributed. In order to overcome this difference, it is strongly recommended that the tribal constitution be amended so as to insure that one-quarter bloods can participate in the tribal development programs that will stem from the judgment funds after the $270 per capita payments have been deducted.

Mr. Speaker, I am unaware of any controversy over H.R. 8917. I favor its enactment.

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.

DISBURSEMENTS TO THE ARMED FORCES OF FRIENDLY FOREIGN NATIONS

The Clerk called the bill (H.R. 5665) to authorize disbursing officers of the Armed Forces to advance funds to members of an armed force of a friendly foreign nation, and for other purposes.

Mr. HALL. Mr. Speaker, reserving the right to object, I should like to know what is the present definition of "a friendly foreign nation" and just what foreign countries would come within this definition?

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

The SPEAKER pro tempore. It there objection to the request of the gentleman from Missouri?

There was no objection.

CONSENTING TO ENTRY OF CONNECTICUT, RHODE ISLAND, AND VERMONT INTO BUS TAXATION PRORATION COMPACT

The Clerk called the bill (H.R. 10369) to give the consent of Congress to the States of Connecticut, Rhode Island, and Vermont to enter into a compact providing for bus taxation proration and reciprocity.

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

H.R. 10369

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the States of Connecticut, Rhode Island, and Vermont to enter into a compact providing for bus taxation proration and reciprocity substantially in the form of the compact set forth in title II, section 201, of Public Law 89-11, approved April 14, 1965 (79 Stat. 60).

SEC. 2. The right to alter, amend, or repeal this Act is expressly reserved.

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.

EXTENDING DESIGN PATENT OF INSIGNIA OF MASSACHUSETTS DEPARTMENT OF THE UNITED AMERICAN VETERANS OF THE UNITED STATES OF AMERICA, INC.

The Clerk called the bill (H.R. 7888) providing for the extension of patent numbered D-119,187.

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

H.R. 7888

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) a certain design patent issued by the United States Patent Office of date February 27, 1940, being patent numbered D-119,187, which is the insignia of the Massachusetts Department of the United States of America, Incorporated, is hereby renewed and extended for an additional period of 14 years from and after the date of enactment of this act, with all the rights and privileges pertaining to the same, being generally known as the insignia of the Massachusetts Department of the United American Veterans of the United States of America, Incorporated; (b) no person who has manufactured the design of such patent between February 27, 1954, and the date of the enactment of this act shall be held liable for infringement of such patent by reason of the continued manufacture and sale thereof.

With the following committee amendment:

On page 1, line 6, after "United" insert "American Veterans of the United".

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.

PROHIBITING COMMERCIAL MISUSE OF THE INTERSTATE ROUTE MARKER

The Clerk called the bill (H.R. 9867) to provide penalties for the use of the interstate route marker for commercial purposes.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I should like to interrogate the sponsor of the bill.

I note that the distinguished chairman and subcommittee chairman are both here. I am familiar by personal experience with the fact that the marking of our Interstate System highways is not a function of the Bureau of Public Roads or the Department of Commerce, but is a function of a committee established for this purpose which is seated in Detroit, Mich. I am sure that many of the Members here know that. However, I would like to know if this is at the request of this committee for the marking of the Federal Interstate System highways, or with their knowledge, or if there is any report thereon?

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

Mr. HALL. I am glad to yield to the chairman.

Mr. CELLER. We have the request from the Secretary of Commerce and those under him who have control of the Interstate System. It would appear that a number of firms have put advertising on these highways markers. It makes in a certain sense the Federal Government a coconspirator in this deception. For that reason we feel commercial firms using these markers for their own business purposes are doing a mischief and

they should be precluded from doing this, and sanctions should be invoked if they do so. I cannot answer directly the gentleman's question except that we had a very comprehensive communication from the Secretary of Commerce and particularly those under him having control of the Interstate System highways.

Mr. HALL. Mr. Speaker, I wonder if the chairman of the subcommittee has anything to add, particularly with respect to this nonpartisan or nonbureau committee that has to do not only with routing but with the marking of all the interstate and intrastate highways.

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

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

Mr. WILLIS. I join with the explanation of the chairman of the full committee, the gentleman from New York [Mr. CELLER]. This bill was introduced at the request of the Department of Commerce. I must say to the gentleman that I assume that the organizations to which he refers necessarily have joined in the request. I do not or cannot overstate the matter by saying that I know it, but I assume it must necessarily be so.

Mr. HALL. I see nothing wrong with the bill as presented, and I certainly think I understand the point that we do not want to create mischief by emulation of or attachments, as far as advertising is concerned or doing anything which would obstruct the vision on these Interstate System highways. However, I would say to the gentleman that oftentimes this committee in Detroit is not in agreement with the Bureau of Public Roads or the Department of Commerce as far as certain routings, maps, markings, and things of that type, are concerned. I think it serves a very useful purpose to have this nonpartisan or nonbureau agency, concerned in such matters insofar as it is dedicated to the traveling public.

Mr. Speaker, I withdraw my reservation of objection.

Mr. GIBBONS. Mr. Speaker, I reserve the right to object.

Mr. Speaker, will the gentleman from Louisiana please answer this question? In my State there are a number of tourist attractions that are nationally known and have national reputations such as Cypress Gardens. I have seen Interstate System signs pointing to Cypress Gardens, although this is a privately owned concern. Would this legislation outlaw that type of sign?

Mr. WILLIS. If the gentleman will yield, it would not. The bill is clear. It says specifically that whoever would erect or display any sign which is an imitation of the route marker in a manner reasonably calculated to convey and for the purpose of conveying the false impression that the sign denotes that a Government agency is sponsoring the project will be subject to this.

Mr. GIBBONS. Mr. Speaker, I thank the gentleman for his explanation and I withdraw my reservation of objection.

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

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

H.R. 9867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 33 of title 18 of the United States Code, is amended by adding the following new section:

"§ 713. Interstate route marker

"Whoever erects or displays any sign, emblem, or insignia which is or contains a colorable imitation of the route marker of the National System of Interstate and Defense Highways, in a manner reasonably calculated to convey, and for the purpose of conveying, the false impression that the sign, emblem, or insignia denotes a department, agency, bureau, or instrumentality of the United States, shall be fined not more than $250 or imprisoned not more than six months, or both. The section shall not make unlawful the use of any such sign, emblem, or insignia which was lawful on the date of the enactment of this section."

With the following committee amendment:

After line 5, page 2, add the following new section:

"SEC. 2. The chapter analysis of chapter 33 of title 18 of the United States Code is amended by adding at the end thereof the following:

"713. Interstate route marker."

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.

AMENDMENT OF TITLES 10 AND 37, UNITED STATES CODE

The Clerk called the bill (H.R. 9778) to amend titles 10 and 37, United States Code, to codify recent military law, and to improve the code.

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

H.R. 9778

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 173(c) of title 10, United States Code, is repealed.

SEC. 2. Section 687 of title 10, United States Code, is amended—

(1) by striking out the first sentence of subsection (a) and inserting in place thereof the following new sentences: "Except for members covered by subsection (b), a member of a reserve component or a member of the Army or the Air Force without component who is released from active duty involuntarily, or because he was not accepted for an additional tour of active duty for which he volunteered after he had completed a tour of active duty, and who has completed, immediately before his release, at least five years of continuous active duty, is entitled to a readjustment payment computed by multiplying his year of active service (other than in time of war or of national emergency declared by Congress after June 28, 1962), but not more than eighteen, by two months' basic pay of the grade in which he is serving at the time of his release. However, a member who is released from active duty because his performance of duty has fallen below standards prescribed by the Secretary concerned, or because his retention on active duty is not clearly consistent with the interests of national security, is entitled to a readjustment payment computed on the basis of one-half of one month's basic pay of the grade in which the member is serving at the time of his release from active duty. A person covered by this subsection may not be paid more than two years' basic pay of the grade in which he is serving at the time of his release or $15,000, whichever amount is the lesser.";

(2) by amending clause (3) of subsection (a) by striking out "severance" and inserting in place thereof "readjustment";

(3) by amending subsection (b) to read as follows: "(b) Subsection (a) does not apply to a member who—

"(1) is released from active duty at his request;

"(2) is released from active duty for training;

"(3) under regulations to be prescribed by the Secretary of Defense, or by the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, is released from active duty because of moral or professional dereliction;

"(4) upon release from active duty, is immediately eligible for retired pay or retainer pay based entirely on his military service;

"(5) upon release from active duty, is immediately eligible for severance pay (other than under section 680 of this title) based on his military service and who elects to receive that severance pay; or

"(6) upon release from active duty is immediately eligible for disability compensation under a law administered by the Veterans' Administration and who elects to receive that compensation.

However a member covered by clause (6) may receive a readjustment payment under this section and disability compensation if an amount equal to 75 per centum of the readjustment payment is deducted from the disability compensation. This subsection does not prevent a member who elects to receive a readjustment payment under this section from becoming entitled to disability compensation based on his service performed after he makes that election."; and

(4) by strking out subsection (e), and by adding the following new subsection:

"(f) If a member who received a readjustment payment under this section after June 28, 1962, qualifies for retired pay under any provision of this title or title 14 that authorizes his retirement upon completion of twenty years of active service, an amount equal to 75 per centum of that payment, without interest, shall be deducted immediately from his retired pay."

SEC. 3. Section 1478(a)(4) of title 10, United States Code, is amended by striking out ", United States Code" in two places.

SEC. 4. Section 2031(d) of title 10, United States Code, is amended—

(1) by striking out "retired" at the beginning of clause (1) and inserting in place thereof "Retired"; and

(2) by striking out "notwithstanding" at the beginning of clause (2) and inserting in place thereof "Notwithstanding".

SEC. 5. Section 2109(b)(3) of title 10, United States Code, is amended by inserting "and" at the end thereof.

SEC. 6. Section 2110(a)(1) of title 10, United States Code, is amended by striking out "education" and inserting in place thereof "educational".

SEC. 7. (a) Chapter 163 of title 10, United States Code, is amended by redesignating section 2736, relating to property loss, or personal injury or death, incident to the use of property of the United States and not cognizable under other law, as section "2737".

(b) Chapter 163 of title 10, United States Code, is further amended by redesignating item 2736 of the analysis, relating to property loss, or personal injury or death, incident to the use of property of the United States and not cognizable under other law, as item "2737".

SEC. 8. Section 3012(b) of title 10, United States Code, is amended to read as follows:

"(b) The Secretary is responsible for and has the authority necessary to conduct all affairs of the Department of the Army, including—

"(1) functions necessary or appropriate for the training, operations, administration, logistical support and maintenance, welfare, preparedness, and effectiveness of the Army, including research and development;

"(2) direction of the construction, maintenance, and repair of buildings, structures, and utilities for the Army;

"(3) acquisition of all real estate and the issue of licenses in connection with Government reservations;

"(4) operation of water, gas, electric, and sewer utilities; and

"(5) such other activities as may be prescribed by the President or the Secretary of Defense as authorized by law.

He shall perform such other duties relating to Army affairs, and conduct the business of the Department in such manner, as the President or the Secretary of Defense may prescribe. The Secretary is responsible to the Secretary of Defense for the operation and efficiency of the Department. After first informing the Secretary of Defense, the Secretary may make such recommendations to Congress relating to the Department of Defense as he may consider appropriate."

SEC. 9. Section 3036(a) of title 10, United States Code, is amended to read as follows:

"(a) There are in the Army the following officers:

"(1) Chief of Engineers.

"(2) Surgeon General.

"(3) Judge Advocate General.

"(4) Chief of Chaplains."

SEC. 10. (a) Section 3038 of title 10, United States Code, is repealed.

(b) The analysis of chapter 305 of title 10, United States Code, is amended by striking out the following item:

"3038. Chief of Engineers: additional duties."

SEC. 11. Section 3533 of title 10, United States Code, is amended by striking out "upon the recommendation of the Chief of Engineers, and".

SEC. 12. Section 4508 of title 10, United States Code, is amended by striking out "Chief of Ordnance" wherever it appears and inserting in place thereof "Secretary".

SEC. 13. Section 4565(a) of title 10, United States Code, is amended by striking out "Quartermaster General" and inserting in place thereof "Secretary".

SEC. 14. Section 4712(a) of title 10, United States Code, is amended by striking out "the court-martial jurisdiction of the Army or the Air Force" and inserting in place thereof "military law".

SEC. 15. Section 4834 of title 10, United States Code, is amended by striking out the designation "(a)" and subsection (b).

SEC. 16. Section 5036(a) of title 10, United States Code, is amended by striking out "and the Assistant Secretary of the Navy for Air" and "and the Assistant Secretary for Air".

SEC. 17. Chapter 513 of title 10, United States Code, is amended by striking out "pay," in item 5149 of the analysis and in the catchline for section 5149.

SEC. 18. Section 9343 of title 10, United States Code, is amended by striking out "faculty" in the first sentence and inserting in place thereof "Academy Board".

SEC. 19. Section 9346 of title 10, United States Code, is amended by adding the following new subsection:

"(d) To be admitted to the Academy, an appointee must take and subscribe to an oath prescribed by the Secretary of the Air Force. If a candidate for admission refuses to take and subscribe to the prescribed oath, his appointment is terminated."

SEC. 20. Section 9712(a) of title 10, United States Code, is amended by striking out "the court-martial jurisdiction of the Air Force or the Army" and inserting in place thereof "military law".

SEC. 21. Section 209 of title 37, United States Code, is amended—

(1) by striking out ", United States Code," by striking out "twenty" and inserting in place thereof "20", and by striking out "section 6(d)(1) of the Universal Military Training and Service Act, as amended (50 U.S.C. App. 456(d)(1))" and inserting in place thereof "section 456(d)(1) of title 50, appendix", in subsection (a); and

(2) by striking out ", United States Code," in subsection (c).

SEC. 22. Section 302(b)(3) of title 37, United States Code, is amended by striking out "and" at the end thereof and inserting in place thereof "or".

SEC. 23. Section 403(a) of title 37, United States Code, is amended to read as follows:

"(a) Except as otherwise provided by this section or by another law, a member of a uniformed service who is entitled to basic pay is entitled to a basic allowance for quarters at the following monthly rates according to the pay grade in which he is assigned or distributed for basic pay purposes:

"Pay grade	Without dependents	With dependents
O-10	$160.20	$201.00
O-9	160.20	201.00
O-8	160.20	201.00
O-7	160.20	201.00
O-6	140.10	170.10
O-5	130.20	157.50
O-4	120.00	145.05
O-3	105.00	130.05
O-2	95.10	120.00
O-1	85.20	110.10
W-4	120.00	145.05
W-3	105.00	130.05
W-2	95.10	120.00
W-1	85.20	110.10
E-9	85.20	120.00
E-8	85.20	120.00
E-7	75.00	114.90
E-6	70.20	110.10
E-5	70.20	105.00
E-4 (over 4 years' service)	70.20	105.00
E-4 (4 years' or less service	45.00	45.00
E-3	45.00	45.00
E-2	45.00	45.00
E-1	45.00	45.00

A member in pay grade E-4 (less than four years' service), E-3, E-2, or E-1 is considered at all times to be without dependents."

SEC. 24. Section 404(d) of title 37, United States Code, is amended—

(1) by striking out "by the Chief of Finance of the Army" in clause (1);

(2) by striking out "section" in clause (2) and inserting in place thereof "subsection";

(3) by striking out "$12" in clause (2) and inserting in place thereof "$16";

(4) by striking out "section" in clause (3) and inserting in place thereof "subsection"; and

(5) by adding at the end thereof the following new flush sentence:

"Where due to unusual circumstances of a travel assignment the maximum per diem allowance would be less than the amount required to meet the actual and necessary expenses of the trip, reimbursement for such expenses may be authorized, under regulations prescribed by the Secretaries concerned, on an actual expense basis, but not more than the amount specified in the travel authorization, and in any event not more than $30 for each day in a travel status."

SEC. 25. Section 405 of title 37, United States Code, is amended by striking out "a" after "including" in the first sentence and inserting in place thereof "the".

SEC. 26. Section 406 of title 37, United States Code, is amended—

(1) by striking out "temporary or permanent change of station" in subsection (b) and inserting in place thereof "change of temporary or permanent station"; and

(2) by inserting "is" before "placed" in subsection (g)(1).

SEC. 27. Section 407 of title 37, United States Code, is amended by striking out "permanent change of station" in subsections (a) and (b)(2) and inserting in place thereof "change of permanent station".

SEC. 28. Section 409 of title 37, United States Code, is amended by striking out "goods" in the first sentence and inserting in place thereof "effects".

SEC. 29. Sections 415(a), 416(b), and 422(c) of title 37, United States Code, are each amended by striking out ", United States Code,".

SEC. 30. Section 419 of title 37, United States Code, is amended by striking out "716" wherever that figure appears and inserting in place thereof "717".

SEC. 31. Section 701(d) of title 37, United States Code, is amended by striking out "Chief of Finance (in cases involving the Army) or by the Secretary of the Air Force." and inserting in place thereof "Secretary concerned".

SEC. 32. Section 801 of title 37, United States Code, is amended—

(1) by striking out subsection (b); and

(2) by striking out "two" in subsection (c) and inserting in place thereof "three".

SEC. 33. Section 1001(b) of title 37, United States Code, is amended by inserting "and allowances" before "matters".

SEC. 34. Section 1007(c) of title 37, United States Code, is amended by striking out "basic" in the second sentence.

SEC. 35. (a) The Act of September 7, 1962, Public Law 87-649 (76 Stat. 451), is amended as follows:

(1) The first sentence of section 10 (76 Stat. 496) is amended by striking out "(64 Stat. 795)" and inserting in place thereof "(64 Stat. 794)".

(2) Section 14b, headed "Statutes at Large" (76 Stat. 498), is amended by striking out, in the item relating to the Act of September 8, 1950, "1, 4,", "794, 795,", and "231, 252,".

(3) Section 14d, headed "Sections of Title 14, United States Code" (76 Stat. 502), is amended by adding at the end thereof the following:

"(7) Section 471 (a) and (b)."

(b) Clause (2) of subsection (a) of this section is effective as of November 1, 1962.

SEC. 36. (a) Laws becoming effective after June 1, 1965, that are inconsistent with this Act shall be considered as superseding it to the extent of the inconsistency.

(b) References made by other laws, regulations, and orders to the laws restated by this Act shall be considered to be made to the corresponding provisions of this Act.

(c) Actions taken under the laws restated by this Act shall be considered to have been taken under the corresponding provisions of this Act.

SEC. 37. The following laws are repealed except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun before the effective date of this Act:

(1) Section 1409 of the Supplemental Appropriation Act, 1953 (66 Stat. 661), as amended by section 2 of the Act of October 9, 1962, Public Law 87-777 (76 Stat. 777).

(2) Section 1309 of the Supplemental Appropriation Act, 1954 (67 Stat. 437), as amended by section 2 of the Act of October 9, 1962, Public Law 87-777 (76 Stat. 777).

(3) The Act of June 27, 1962, Public Law 87-500 (76 Stat. 111).

(4) Section 1 of the Act of June 28, 1962, Public Law 87-509 (76 Stat. 120).

(5) Section 1 of the Act of July 10, 1962, Public Law 87-531 (76 Stat. 152).

(6) The Act of October 9, 1962, Public Law 87-777 (76 Stat. 777).

(7) Section 6112 of title 10, United States Code.

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.

ENACTMENT OF TITLE 5, UNITED STATES CODE

The Clerk called the bill (H.R. 10104) to enact title 5, United States Code, "Government Organization and Employees," codifying the general and permanent laws relating to the organization of the Government of the United States and to its civilian officers and employees.

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

Mr. PELLY. Mr. Speaker, reserving the right to object, I note that this bill is some 367 pages. In the interest of economy and in accordance with precedent, I ask unanimous consent that we waive the printing of the bill in the RECORD.

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

There was no objection.

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

There was no objection.

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

SPRUCE KNOB-SENECA ROCKS RECREATION AREA, W. VA.

The Clerk called the bill (H.R. 10330) to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes.

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

Mr. ASPINALL. Mr. Speaker, reserving the right to object, and I hope I will not have to object, I desire to ask a question or two of the sponsor of the bill. This bill, as well as the one following, carries no authorization for appropriation; is that correct?

Mr. STAGGERS. That is correct; there is no authorization for appropriation.

Mr. ASPINALL. Also, as I understand the situation, this bill is written in complete conformity with the provisions of the Land and Water Conservation Fund Act. The Land and Water Conservation Fund Act provides for the purchase of inholdings but does not provide for the purchase of adjacent lands which might be used for these purposes. The purpose of this bill is to bring in harmony the authority of the Department of Agriculture to purchase lands presently outside of the National Forests in order to include them within a recreational area; is that correct?

Mr. STAGGERS. That is my understanding; some 6,000 acres.

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

Mr. GROSS. Mr. Speaker, further reserving the right to object, I am not clear as to how many acres are proposed to be purchased for this recreational area; nor am I clear as to whether the Federal Government, having developed this very sizable tract for recreation, hunting and fishing, the people who use it are going to have to buy State fishing licenses from the State of West Virginia.

Mr. STAGGERS. Yes; I am sure that they will. The Government owns a great amount of this land at the present time. There are some 60,000 acres lying outside of the 100,000 acres proposed. It is all within two counties in West Virginia. The gentleman from Colorado [Mr. ASPINALL] asked whether there was any authorization for appropriation. There is not. This is contained within the Land and Water Conservation Act at the present time.

Mr. GROSS. Mr. Speaker, is the gentleman saying that there will be purchased, with Federal funds, 60,000 acres of land?

Mr. STAGGERS. It is 6,000 acres instead of 60,000. This is a bill which has been passed by the other body and sent over here.

Mr. GROSS. Which is it—6,000 or 60,000?

Mr. STAGGERS. It is 6,000.

Mr. GROSS. What would be the average cost of the acquisition of this land?

Mr. STAGGERS. It is all mountain land, in the scenic part of West Virginia. The highest part of the State's Spruce Knob is some 4,860 feet. There is no farming in that area and there is no salable lumber in that area.

Mr. GROSS. Mr. Speaker, I would like to ask this question. In other national recreation areas are those who use them, and who come from other States, required to buy fishing licenses?

Mr. STAGGERS. Yes.

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

Mr. GROSS. I yield to the gentleman.

Mr. ASPINALL. This is written in complete conformity with the Land and Water Conservation Fund Act. Anyone fishing and hunting within a State must purchase a State license. If he is a nonresident he must purchase a nonresident license. Not only that, as I understand, in this particular area fees will be charged—entrance fees or user fees will be charged for the use of the areas as they are developed by the National Forest Service. This is a part of the Land and Water Conservation Act law, and as my friend will remember, that passed a year ago, which legislation, by the way, has had some criticism recently of its administration and enforcement. But, may I say, that our latest report is that by and large the Land and Water Conservation Fund Act is working very well.

Mr. GROSS. Then, in order to use an area that has been developed by the taxpayers' money of all the United States, those taxpayers who use it will be required not only to pay an admissions fee but to buy a fishing license, a nonresident fishing license, in that State; is that right?

Mr. ASPINALL. If my colleague will yield to me, this has been true throughout the years as far as the public land States in the West are concerned. In Colorado big game and small game and fishing licenses are required to hunt upon the public domain.

Mr. GROSS. Does not the gentleman from Colorado think it is about time that we arrived at some kind of legislation to provide for a Federal fishing license?

Mr. ASPINALL. If my friend will permit an answer in this respect, I do not believe that that time is yet here.

Mr. GROSS. The gentleman does not think it is?

Mr. ASPINALL. I do not think so. I believe that the game and fish operations are best preserved by the States themselves.

Mr. GROSS. Well, of course, the State is not preserving this. This burden or expense is falling upon the taxpayers of the entire country.

Mr. ASPINALL. If the gentleman will yield further, the game and fish values are preserved by the States. They are propagated by the States and they are conserved by the States, even though the lands are public lands.

Mr. GROSS. Would the gentleman say that they cannot obtain fish to stock a lake, reservoir, or pond in this recreational area from the Federal hatcheries?

Mr. ASPINALL. If the gentleman will yield further, I am saying that there are not enough Federal fish hatcheries to do any kind of a job throughout the United States. That is the fact.

Mr. GROSS. If the hatcheries had the fish they could be planted in such a water storage area and they would get them, would they not?

Mr. ASPINALL. They would get them under the same terms that they get the young fish, the fry, out of State hatcheries.

Mr. GROSS. I cannot agree with my friend, the gentleman from Colorado [Mr. ASPINALL], that the time is not yet here for a Federal fishing license which would not only yield something to the States but would also yield some revenue to the Federal Government from fishing areas that have been developed by Federal tax money.

Mr. Speaker, I withdraw my reservation.

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

Mr. JOHNSON of Pennsylvania. Mr. Speaker, further reserving the right to object, I would like to further interrogate the gentleman from West Virginia.

This seems to be the first authorization of buying recreation lands under the new fund which we set up in 1964.

I believe the gentleman from West Virginia is in error with respect to the number of acres to be acquired.

According to the report; yes, only 6,000 acres have newly been authorized as being outside the inland definition, but there is going to be 100,000 acres and the Government only owns 40,000. The park is to be composed of 100,000 acres. So, therefore, there will be 60,000 acres purchased; is that not correct?

Mr. STAGGERS. If the gentleman will yield. The total amount to be purchased is 6,000 acres.

Mr. JOHNSON of Pennsylvania. And, also, the report goes on to say that the land and water conservation fund will have to come up with $3.5 million; is that not correct?

Mr. STAGGERS. If the gentleman will yield further, that is true, but according to the report they already have authority to buy the balance of this land.

Mr. JOHNSON of Pennsylvania. But we are talking about spending $3.5 million out of this fund; is that not correct?

Mr. ASPINALL. Mr. Speaker, if the gentleman from Pennsylvania will yield to me, by and large these will be Federal funds or the State's share of Federal funds from the land and water conservation fund.

Now, Mr. Speaker, the gentleman is correct insofar as the cost is concerned. But this is a very small expense when one considers it in relation to other recreational areas that we are providing for different sections of the United States at the present time.

Today we have on the calendar the Assateague Island Seashore area which is estimated to cost in the neighborhood of $20 to $25 million.

We just got through taking care of a recreational area in the gentleman's home State, where the cost would amount, of course, to much more than that before we get through with it.

What we are trying to do—and I have nothing to do with this legislation; in fact I did not know it was on the calendar until I studied this bill last weekend—what we are trying to do is to get these recreational areas scattered throughout the Nation so the people will not all congregate at just a few places.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, further reserving the right to object, under the conservation fund the State must match the money. This bill says that the Department of Agriculture may go ahead and buy this land. Is there any action on the part of the Legislature of West Virginia setting up $3.5 million of matching funds?

Mr. ASPINALL. There is none, because these moneys are available to the Department of Agriculture. The State of West Virginia, if it wishes, can operate it if it is a plan that is satisfactory to the Secretary of the Interior, but there is no provision in this particular instance for matching funds, nor is there in the bill which is to follow.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

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

Mr. TEAGUE of California. I happen to be a member of the subcommittee of the Committee on Agriculture which heard not only this proposition, but the next, relative to the Mount Rogers National Recreation Area. The subcommittee considered both of these proposals very carefully. We were entirely satisfied with the testimony that was presented to us and the subcommittee, including the minority members, unanimously voted to approve both this and the next bill.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, may I ask another question? The rule of the objectors committee is that they never agree to an expenditure beyond $1 million. If we pass this bill are we not requiring the Department of Agriculture to dip into the land and conservation fund to the extent of $3.5 million to buy this land?

Mr. ASPINALL. My questioning of the gentleman from West Virginia [Mr. STAGGERS] included that very question. We are not doing what the gentleman has just stated. We are bringing this in line with the general authorizations we have given in the Land and Water Conservation Act. We are making it mandatory after passage of a bill similar to this to go before the Appropriations Committee just as they would in any instance to get money from the land and water conservation fund.

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

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 7, be considered in lieu of H.R. 10330.

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

S. 7

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide for the public outdoor recreation use and enjoyment thereof by the people of the United States, the Secretary of Agriculture shall establish the Spruce Knob-Seneca Rocks National Recreation Area in the State of West Virginia.

SEC. 2. The Secretary of Agriculture (hereinafter called the "Secretary") shall—

(1) designate as soon as practicable after this Act takes effect the Spruce Knob-Seneca Rocks National Recreation Area within and adjacent to, and as a part of, the Monongahela National Forest in West Virginia comprised of the area including Spruce Knob, Smoke Holes, and Seneca Rocks, and lying primarily in the drainage of the South Branch of the Potomac River, the boundaries of which shall be those shown on the map entitled "Proposed Spruce Knob-Seneca Rocks National Recreation Area", dated March 1965, which is on file and available for public inspection in the Office of the Chief, Forest Service, Department of Agriculture; and

(2) publish notice of the designation in the Federal Register, together with a map showing the boundaries of the recreation area.

SEC. 3. (a) The Secretary shall acquire by purcahase with donated or appropriated funds, by gift, exchange, condemnation, transfer from any Federal agency, or otherwise, such lands, waters, or interests therein within the boundaries of the recreation area as he determines to be needed or desirable for the purposes of this Act. For the purpose of section 6 of the Act of September 3, 1964 (78 Stat. 897, 903), the boundaries of the Monongahela National Forest, as designated by the Secretary pursuant to section 2 of this Act, shall be treated as if they were the boundaries of that forest on January 1, 1965. Lands, waters, or interests therein owned by the State of West Virginia or any political subdivision of that State may be acquired only with the concurrence of such owner.

(b) Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him to implementing the purposes of this Act.

(c) In exercising his authority to acquire lands by exchange the Secretary may accept title to non-Federal property within the recreation area and convey to the grantor of such property any federally owned property in the State of West Virginia under his jurisdiction.

SEC. 4. (a) After the Secretary acquires an acreage within the area designated pursuant to paragraph (1) of section 2 of this Act that is in his opinion efficiently administrable to carry out the purposes of this Act, he shall institute an accelerated program of development of facilities for outdoor recreation. Said facilities shall be so devised to take advantage of the topography and geographical location of the lands in relation to the growing recreation needs of the people of the United States.

(b) The Secretary may cooperate with all Federal and State authorities and agencies that have programs which will hasten completion of the recreation area and render services which will aid him in evaluating and effectuating the establishment of adequate summer and winter outdoor recreation facilities.

SEC. 5. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote, or is compatible with, and does not significantly impair the purposes for which the recreation area is established.

SEC. 6. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Spruce Knob-Seneca Rocks National Recreation Area in accordance with applicable Federal and State laws. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment, and shall issue regulations after consultation with the Department of Natural Resources of the State of West Virginia.

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

A similar House bill (H.R. 10330) was laid on the table.

A motion to reconsider was laid on the table.

ESTABLISHMENT OF THE MOUNT ROGERS NATIONAL RECREATION AREA IN VIRGINIA

The Clerk called the bill (H.R. 10366) to establish the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia, and for other purposes.

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

Mr. ASPINALL. Mr. Speaker, reserving the right to object, I would like to propound the same questions which I asked before, either of the gentleman from North Carolina [Mr. COOLEY] or of the gentleman from West Virginia [Mr. STAGGERS].

First, is there any direct appropriation authority granted by this bill?

Mr. COOLEY. No.

Mr. ASPINALL. Second, this bill complies with the provisions of the Land and Water Conservation Act?

Mr. COOLEY. I understand it does.

Mr. ASPINALL. Did the gentleman hear the dialog between the gentleman from Iowa [Mr. GROSS], the gentleman from Missouri [Mr. HALL], the gentleman from Pennsylvania [Mr. JOHNSON], and myself relative to the matter of fishing, and so forth?

Mr. COOLEY. I did.

Mr. ASPINALL. Does the gentleman agree that the questions that were asked and the answers given are applicable likewise to this bill?

Mr. COOLEY. Yes, I do.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. JENNINGS] 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 Hawaii?

There was no objection.

Mr. JENNINGS. Mr. Speaker, I rise in support of H.R. 10366, which would authorize the establishment of the Mount Rogers National Recreation area in Virginia, and which I have sponsored in the House.

Mount Rogers, at 5,729 feet in height, and nearby Whitetop Mountain, at 5,520 feet, are Virginia's highest mountains. They are located in southwest Virginia, which I have the privilege to represent in the House. Much of this area is located within the Jefferson National Forest; much remains to be acquired. This legislation will give emphasis to the long growing effort to preserve and develop this outstanding scenic area for the benefit of Americans from all States. It will authorize the Secretary of Agriculture to designate a "national recreation area" and acquire those lands and scenic easements that will be needed to bring the area fully into the Jefferson National Forest.

This proposed recreation area is within easy driving distance of more than 20 million people and is admirably suited for inclusion among the outdoor recreation areas are are contemplated for acquisition and development under the Land and Water Conservation Act approved by Congress last year.

I have introduced this legislation in previous sessions of the Congress. The area was originally proposed as one of several national forest "wonderlands." Later, I proposed that it be authorized as a national recreation area. The Departments of Agriculture and Interior reported favorably on my bill, but suggested amendments. I have incorporated other changes suggested after the approval of the House Agriculture Subcommittee on Forests, and the bill today is H.R. 10366.

I do not know of any opposition to this bill. Local supporters are constantly indicating their support, and the Commonwealth of Virginia has undertaken the development of a State park on nearby Haw Orchard Mountain. This will complement the recreation opportunities that will be available in the Jefferson National area we are proposing in today's legislation.

If my colleagues have questions on the bill, I would recommend a reading of the Agriculture Committee's report—House Report 910—especially the letter from the Secretary of Agriculture in which the many outstanding values of the region are fully enumerated.

It is anticipated that land acquisitions will be accomplished as funds become available from the Land and Water Conservation Fund Act.

Mr. Speaker, as a part of these remarks, I would like to include a copy of a resolution adopted earlier this year by the Izaak Walton League of America in support of the Mount Rogers plan, and a recent article in the Roanoke Times that provides an indication of the local and State interest and support.

This is a merited and needed piece of legislation. It will result in Mount Rogers, Whitetop Mountain, and the surrounding areas of national forest being preserved for all to enjoy. I urge passage of H.R. 10366.

The resolution and article referred to follow:

RESOLUTION BY THE IZAAK WALTON LEAGUE OF AMERICA ON THE MOUNT ROGERS NATIONAL RECREATION AREA

Whereas those areas which possess nationally significant outdoor values should be preserved by the Federal Government and made available for public use and enjoyment; and,

Whereas there is a critical need to establish public outdoor recreation areas in the East within easy reach of major population concentrations; and,

Whereas the national recreation areas are established to provide opportunity for a wide range of public outdoor uses; and,

Whereas the Mount Rogers-Whitetop Mountain high country of southwestern Virginia possesses scenic, biological, and other natural outdoor values which are of national significance; and,

Whereas the Virginia Division of Parks and the U.S. Forest Service have developed a joint recreation management plan for such region, including establishment of the Mount Rogers State Park and the Mount Rogers National Recreation Area; and

Whereas the State of Virginia has already established the Mount Rogers State Park; and,

Whereas the remainder of the Mount Rogers-Whitetop region is located within the boundaries of the Jefferson National Forest: Now, therefore, be it

Resolved by the Izaak Walton League of America in convention assembled this 19th day of June 1965, at Cody, Wyo., That it respectfully urges the U.S. Congress to establish the Mount Rogers National Recreation Area under jurisdiction of the U.S. Forest Service; and be it further

Resolved, That the management plan for such national recreation area should include provisions to preserve the general area bounded by Mount Rogers State Park and by Routes 600, 603, 740, 739, and 58 as a roadless area free from mass recreation facilities.

THE LAND AND WATER FUND MAY BOOST MOUNT ROGERS BILL

[From the Roanoke Times, Aug. 22, 1965]

Mount Rogers pokes its peak 5,719 feet above sea level, the highest point in Virginia, where the days are cool and the nights are nippy even when the weather is sticky hot in the valleys far below.

The mountain vibrates with cold springs and its northern trees—Fraser fir, red spruce, and balsam—canopy out the sun in many places offering cool darkness.

But to enjoy this bit of Canada lost in southwest Virginia, you must hike a trail to the top. Fortunately, it is one of the few mountains in the East where you can't breeze to the summit in your automobile, take a quick look, then buzz on off and conquer new vistas.

This lack of accessibility and this natural ruggedness is so rare nowadays that some people would like to preserve it so future generations will know what it's like to have distance in their eyes.

The Jefferson National Forest has set aside some 1,300 acres of the mountain's crest as a scenic area—which means it is left in a natural state, undisturbed, where no trees are felled for lumber, where no powerline right-of-ways scar the forest, where no prying radar eyes blink and whirl.

Much of the Mount Rogers area below the crest is also owned by the U.S. Forest Service, but it is intermingled with private holdings and lacks definite boundaries.

Representative W. PAT JENNINGS, Democrat of Virginia has taken a special interest in the area and has introduced a bill that would acquire land at Mount Rogers and at its 5,520 foot neighbor, Whitetop Mountain.

The bill would then turn the area into a "forest wonderland" which JENNINGS says would "provide for the protection and conservation of the unusual biotic phenomenon on and in the vicinity of Mount Rogers; preserve the historic and associated cultures of the area; recognize more fully the outstanding and scenic recreational values; and expand for public use a magnificent area that is already partially under direction of the Forest Service."

JENNINGS' bill was approved by the House Agriculture Committee earlier this month and now must be voted on by the House and then clear the Senate.

The bill has received the blessing of Stewart L. Udall, Secretary of the Interior, and Orville L. Freeman, Secretary of Agriculture.

Its passage was also urged by the Izaak Walton League of America during a June meeting in Cody, Wyo.

The bill failed to receive Congress approval in 1963 and in 1964, and was reintroduced this year as H.R. 316.

"I certainly hope it can be approved by Congress this year. I am working toward this goal," JENNINGS said recently.

A big help may be the fact that money for land acquisition could now come from the land and water conservation fund which was approved by Congress last year.

This fund collects fees at certain Federal recreation areas and earmarks them for the acquisition and development of still more recreation areas.

"This (the Land and Water Act) was a most significant piece of legislation and will open the way for development of not only such areas as Mount Rogers but possibly others," JENNINGS told the Times.

The proposed Mount Rogers State Park, which in reality is located on Haw Orchard Mountain southeast of Mount Rogers, would serve as an interesting base for campers, hikers, and horseback riders wanting to penetrate into the almost wilderness of Mount Rogers.

The State park and the Federal forest wonderland would greatly complement each other, backers say.

Ben Bolen, the State park commissioner, told JENNINGS: "It is seldom that two different agencies, especially a Federal and a State, find themselves working so harmoniously on a similar project."

But just as JENNINGS has had difficulty nursing his bill through Congress, the State park department has had its own problems concerning the area.

The last State general assembly appropriated $200,000 to purchase land for Mount

Rogers Park, which from the beginning was an insufficient fund.

The Old Dominion Foundation has agreed to donate funds if communities in the area match the money.

Some $50,000 more is needed. Therefore, the five counties around the area must raise $25,000 by a target date of November 1. The campaign for funds has been underway for some time with only about $8,000 subscribed.

Many people feel the communities in the area will come through. Said JENNINGS recently, "In my statement to the Forest Subcommittee a few days ago I pointed out the tremendous local and State interest and cooperation." This was a factor, he added, "that caused me to begin pushing the Federal development a few years ago."

Provided that State and Federal programs can be realized, JENNINGS predicts that the Mount Rogers-Whitetop area will "become a major recreational area in the eastern United States within the next few years.

But, like climbing a mountain such as Mount Rogers, realizing such programs is going to take work.

However, most will agree, when you reach the top and the job is done, it is work well worthwhile.

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

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

H.R. 10366

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide for the public outdoor recreation use and enjoyment of the area in the vicinity of Mount Rogers, the highest mountain in the State of Virginia, and to the extent feasible the conservation of scenic, scientific, historic, and other values of the area, the Secretary of Agriculture shall establish the Mount Rogers National Recreation Area in the Jefferson National Forest in the State of Virginia.

SEC. 2. The Secretary of Agriculture (hereinafter called the "Secretary") shall—

(1) designate as soon as practicable after this Act takes effect the Mount Rogers National Recreation Area within and adjacent to, and as a part of, the Jefferson National Forest in Virginia comprised of the area the boundaries of which shall be those shown on the map entitled "Proposed Mount Rogers National Recreation Area", dated 1965, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture; and

(2) publish notice of the designation in the Federal Register, together with a map showing the boundaries of the recreation area.

SEC. 3. (a) The Secretary shall acquire by purchase with donated or appropriated funds, by gift, exchange, condemnation, transfer from any Federal agency, or otherwise, such lands, waters, or interests therein, including scenic or other easements within the boundaries of the recreation area as he determines to be needed or desirable for the purposes of this Act. Lands, waters, or interests therein owned by the State of Virginia or any political subdivision of that State may be acquired only with the concurrence of such owner.

(b) Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in implementing the purposes of this Act.

(c) In exercising his authority to acquire lands by exchange the Secretary may accept title to non-Federal property within the recreation area and convey to the grantor of such property any federally owned property in the State of Virginia under his jurisdiction.

SEC. 4. (a) After the Secretary acquires an acreage within the area designated pursuant to section 2 of this Act that is in his opinion efficiently administrable to carry out the purposes of this Act, he shall institute an accelerated program of development of facilities for outdoor recreation. Said facilities shall be so devised to take advantage of the topography and geographical location of the lands in relation to the growing recreation needs of the people of the United States.

(b) The Secretary may cooperate with all Federal and State authorities and agencies that have programs which will hasten completion of the recreation area and render services which will aid him in evaluating and effectuating the establishment of adequate summer and winter outdoor recreation facilities.

SEC. 5. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote, or is compatible with, and does not significantly impair the purposes for which the recreation area is established.

SEC. 6. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Mount Rogers National Recreation Area in accordance with applicable Federal and State laws. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or publish use and enjoyment, and shall issue regulations after consultation with the Commissioner of Game and Inland Fisheries of the State of Virginia.

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.

LUMMI INDIAN DIKING PROJECT ON LUMMI INDIAN RESERVATION, STATE OF WASHINGTON

Mr. PELLY. Mr. Speaker, I ask unanimous consent to return to Calendar No. 170 of the Consent Calendar.

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

There was no objection.

The Clerk called the bill (H.R. 3715) to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3715

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indian trust or restricted lands within the limits of the Lummi Indian diking project as established by the Act of March 18, 1926 (44 Stat. 211), may be included in, and may be assessed for operation and maintenance, betterment, and construction by, any diking and drainage district that may be formed under the diking and drainage laws of the State of Washington: *Provided,* That such Indian lands shall be assessed on the same basis that all other lands within the district are assessed. Such assessments may be collected in accordance with the laws of the State of Washington, except that no Indian trust or restricted lands shall be sold for the collection of an assessment without the consent of the Secretary of the Interior. If the Secretary refuses to consent to such sale, he shall pay the assessment out of any appropriation or fund available therefor. Any portion of such payment which the Secretary determines to be within the ability of the Indian owner to pay shall become a lien against the land, subject to the provisions of the Act of July 1, 1932 (47 Stat. 564).

SEC. 2. (a) The Secretary of the Interior shall cancel all outstanding charges for construction, operation, and maintenance, including any interest or penalties, outstanding on the date this section becomes effective.

(b) All assessments against each tract of land within the project which on the date of this Act is in a trust or restricted status and which have heretofore been collected for construction, operation, and maintenance, including interest and penalties, and deposited in the Treasury shall be transferred on the books of the Treasury into an account that shall be available to the Secretary of the Interior to pay any assessments hereafter made against each such tract pursuant to this Act.

(c) The provisions of subsections (a) and (b) of this section shall become effective on the date of approval of the organization by the Whatcom County commissioners of the new diking and drainage district.

(d) Operation and maintenance assessments shall continue to be made but their collection shall be suspended for not to exceed two years until the new diking and drainage district is formed. If the new district is formed within such two-year period such assessments shall be canceled. If the new district is not formed within such period the assessments shall be collected with interest and penalties thereafter accruing.

SEC. 3. At such time as the diking and drainage district covering the Indian trust and restricted lands within the Lummi diking project shall be established under the laws of Washington and shall be in operation, the Government shall thereupon be relieved of any further responsibility of whatever nature in connection with the operation and maintenance, betterment, or construction of any dikes, structures, drains, or any appurtenant works existing on the Lummi diking project, including any responsibility for damages that may result from the failure of any dikes, drains, structures, or appurtenant works heretofore or hereafter constructed. Any equipment and funds standing to the credit of the Lummi diking project on the books of the Secretary of the Interior at such time shall be paid and turned over to such diking and drainage district if the owners of nonrestricted lands in the new district contribute an amount equal to the value of such equipment and funds. Any right, title, or interest of the United States in and to any of the dikes or other structures erected as part of the Lummi diking project, and the lands on which they are located, shall be deemed to be conveyed to the county of Whatcom, State of Washington, for the use and benefit of such diking and drainage district on the date the district is organized. The Bureau of Indian Affairs is directed to make available to such diking and drainage district or to the county of Whatcom any information, data, or documents which may assist in its organization or operation.

SEC. 4. Nothing in this Act shall be construed to affect the Lummi Indians' hunting or fishing rights.

Mr. HALEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

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

There was no objection.

Mr. HALEY. Mr. Speaker, H.R. 3715, relating to assessment of Indian trust and restricted lands within the Lummi diking project on the Lummi Indian Reservation in the State of Washington has a fivefold purpose.

First. It will permit Indian trust or restricted land within the existing Lummi diking project to be included in a new diking and drainage district that will be created under the laws of the State of Washington if this bill is approved by Congress.

Second. It will direct the Secretary of the Interior to cancel outstanding construction, operation and maintenance costs against land—Indian and non-Indian—in the existing diking project. This will amount to $152,000.

Third. It also directs the Secretary to use collections on hand to pay forthcoming assessment costs related to the to-be-created diking and drainage district.

Fourth. It provides that all equipment presently on hand will be turned over to the new district. The value of this equipment is roughly $27,000.

Fifth. Finally, it transfers the title to the existing dikes and structures plus the land on which they are located to the new diking district. In return the district will release the Federal Government from further responsibility for operation, maintenance, and additional construction. The book value of existing structures is $175,000.

Mr. Speaker, for the RECORD, let me state that the Lummi Indian diking project was constructed and has been maintained by the Department of the Interior under authority of the act of March 18, 1926. The project consists of 14.7 miles of dikes, drainage ditches, and tide gates. The facilities protect 3,400 acres of low-lying land within the boundaries and 800 acres of adjoining lowland outside the reservation.

The committee has considered this legislation during the past 3 Congresses. The House passed the bill a few years ago but it was not acted on by the other body. During the 88th Congress, that body passed the bill but it did not reach the House floor. A Senate bill, S. 795, has already been passed this session.

I recommend that the Lummi diking bill be enacted since it will provide a means for transferring responsibility for future construction and operation to non-Federal hands.

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. ASPINALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 795) to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

S. 795

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indian trust or restricted lands within the limits of the Lummi Indian diking project as established by the Act of March 18, 1926 (44 Stat. 211), may be included in, and may be assessed for operation and maintenance, betterment, and construction by, any diking and drainage district that may be formed under the diking and drainage laws of the State of Washington: *Provided,* That such Indian lands shall be assessed on the same basis that all other lands within the district are assessed. Such assessment may be collected in accordance with the laws of the State of Washington, except that no Indian trust or restricted lands shall be sold for the collection of an assessment without the consent of the Secretary of the Interior. If the Secretary refuses to consent to such sale, he shall pay the assessment out of any appropriation or fund available therefor. Any portion of such payment which the Secretary determines to be within the ability of the Indian owner to pay shall become a lien against the land, subject to the provisions of the Act of July 1, 1932 (47 Stat. 564).

SEC. 2. (a) The Secretary of the Interior shall cancel all outstanding charges for construction, operation, and maintenance, including any interest or penalties, outstanding on the date this section becomes effective.

(b) All assessments against each tract of land within the project which on the date of this Act is in a trust or restricted status and which have heretofore been collected for construction, operation, and maintenance, including interest and penalties, and deposited in the Treasury shall be transferred on the books of the Treasury into an account that shall be available to the Secretary of the Interior to pay any assessments hereafter made against each such tract pursuant to this Act.

(c) The provisions of subsections (a) and (b) of this section shall become effective on the date of approval of the organization by the Whatcom County commissioners of the new diking and drainage district.

(d) Operation and maintenance assessments shall continue to be made but their collection shall be suspended for not to exceed two years until the new diking and drainage district is formed. If the new district is formed within such two-year period such assessments shall be canceled. If the new district is not formed within such period the assessments shall be collected with interest and penalties thereafter accruing.

SEC. 3. At such time as the diking and drainage district covering the Indian trust and restricted lands within the Lummi diking project shall be established under the laws of Washington and shall be in operation, the Government shall thereupon be relieved of any further responsibility of whatever nature in connection with the operation and maintenance, betterment, or construction of any dikes, structures, drains, or any appurtenant works existing on the Lummi diking project, including any responsibility for damages that may result from the failure of any dikes, drains, structures, or appurtenant works heretofore or hereafter constructed. Any equipment and funds standing to the credit of the Lummi diking project on the books of the Secretary of the Interior at such time shall be paid and turned over to such diking and drainage district if the owners of nonrestricted lands in the new district contribute an amout equal to the value of such equipment and funds. Any right, title, or interest of the United States in and to any of the dikes or other structures erected as part of the Lummi diking project, and the lands on which they are located, shall be deemed to be conveyed to the county of Whatcom, State of Washington, for the use and benefit of such diking and drainage district on the date the district is organized. The Bureau of Indian Affairs is directed to make available to such diking and drainage district or to the county of Whatcom any information, data, or documents which may assist in its organization or operation.

SEC. 4. Nothing in this Act shall be construed to affect the Lummi Indians' hunting or fishing rights.

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. 3715) was laid on the table.

CALL OF THE HOUSE

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

The SPEAKER pro tempore. Evidently, a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 261]

Abbitt	Grabowski	Pool
Andrews, George W.	Greigg	Powell
Ashbrook	Griffiths	Purcell
Bandstra	Gurney	Quillen
Baring	Halpern	Reid, Ill.
Barrett	Hanna	Reifel
Berry	Harsha	Roberts
Bolling	Harvey, Ind.	Roncalio
Bolton	Hébert	Roosevelt
Bonner	Hungate	Rostenkowski
Cameron	Hutchinson	Ryan
Carey	Jacobs	Saylor
Chamberlain	Kee	Selden
Chelf	Keith	Senner
Clawson, Del	Keogh	Slack
Clevenger	Kornegay	Sweeney
Collier	Landrum	Thomas
Corman	Lindsay	Thompson, N.J.
Craley	Love	Todd
Derwinski	Macdonald	Toll
Diggs	MacGregor	Tuck
Dwyer	Mackie	Tunney
Edwards, Ala.	Madden	Ullman
Farnum	Martin, Ala.	Van Deerlin
Fascell	Martin, Mass.	Vanik
Flood	Mills	Vivian
Foley	Mize	Wilson, Charles H.
Frelinghuysen	Nix	Wydler
Fulton, Pa.	O'Neal, Ga.	Zablocki
Fulton, Tenn.	Patman	
Goodell	Pepper	
	Poage	

The SPEAKER pro tempore. On this rollcall 341 Members have answered to their names, a quorum.

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

MILITARY CONSTRUCTION BILL

Mr. HALL. Mr. Speaker, I rise to a question of the highest privilege of the House, based directly on the Constitution and precedents, and offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Motion by Mr. HALL:

Resolved, That the Committee on Armed Services be discharged from further consideration of the bill H.R. 8439, for military construction, with the President's veto thereon, and that the same be now considered.

Mr. RIVERS of South Carolina. Mr. Speaker, I move to lay that motion on the table.

The SPEAKER pro tempore. The question is on the motion of the gentleman from South Carolina.

The question was taken.

Mr. HALL. 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 rollcall is automatic.

So many as are in favor of the motion of the gentleman from South Carolina will when their names are called vote "aye" and those opposed will vote "no."

The Clerk will call the roll.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. The question is on the motion of the gentleman from South Carolina [Mr. RIVERS] to table my motion, which is highly privileged?

The SPEAKER pro tempore. The gentleman is correct.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. Is a highly privileged motion according to the Constitution subject to a motion to table?

The SPEAKER pro tempore. It is.

Mr. RIVERS of South Carolina. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RIVERS of South Carolina. Those desiring to table the motion of the gentleman from Missouri will vote "aye" when their names are called.

The SPEAKER pro tempore. The Chair is about to state the question. So many as are in favor of the motion by the gentleman from South Carolina to table the motion of the gentleman from Missouri will when their names are called vote "aye" and those who are opposed will vote "no."

Mr. HALL. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. Mr. Speaker, would a "no" vote as just stated by the Chair be tantamount to overriding the Presidential veto of the military construction bill?

The SPEAKER pro tempore. The Chair cannot make such construction on a motion.

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 323, nays 19, not voting 90, as follows:

[Roll No. 262]

YEAS—323

Abbitt	Adair	Addabbo
Abernethy	Adams	Albert
Anderson, Ill.	Gilbert	Natcher
Anderson, Tenn.	Gilligan	Nedzi
Andrews, Glenn	Gonzalez	Nelsen
Andrews, N. Dak.	Green, Oreg.	O'Brien
Annunzio	Green, Pa.	O'Hara, Ill.
Arends	Greigg	O'Hara, Mich.
Ashley	Grider	O'Konski
Ashmore	Grover	Olsen, Mont.
Aspinall	Gubser	Olson, Minn.
Ayres	Gurney	Ottinger
Bates	Hagan, Ga.	Passman
Battin	Hagen, Calif.	Patten
Beckworth	Haley	Pelly
Belcher	Halleck	Perkins
Bell	Hamilton	Philbin
Bennett	Hanley	Pickle
Betts	Hansen, Iowa	Pike
Bingham	Hansen, Wash.	Pirnie
Blatnik	Hardy	Poff
Boggs	Harris	Pool
Boland	Harsha	Price
Bow	Harvey, Ind.	Pucinski
Brademas	Harvey, Mich.	Quie
Bray	Hathaway	Race
Brooks	Hawkins	Randall
Broomfield	Hays	Redlin
Brown, Calif.	Hechler	Reid, N.Y.
Broyhill, N.C.	Helstoski	Reinecke
Broyhill, Va.	Henderson	Resnick
Burke	Herlong	Reuss
Burleson	Hicks	Rhodes, Ariz.
Burton, Calif.	Holifield	Rhodes, Pa.
Byrne, Pa.	Holland	Rivers, S.C.
Byrnes, Wis.	Horton	Rivers, Alaska
Cabell	Hosmer	Robison
Cahill	Howard	Rodino
Callan	Hull	Rogers, Colo.
Carter	Huot	Rogers, Fla.
Casey	Ichord	Rogers, Tex.
Cederberg	Irwin	Ronan
Celler	Jarman	Rooney, N.Y.
Clancy	Jennings	Rooney, Pa.
Clark	Joelson	Rosenthal
Clausen, Don H.	Johnson, Calif.	Roudebush
Cleveland	Johnson, Okla.	Roush
Cohelan	Johnson, Pa.	Roybal
Conable	Jonas	Rumsfeld
Conte	Jones, Ala.	Satterfield
Cooley	Jones, Mo.	St Germain
Corbett	Karsten	St. Onge
Culver	Karth	Scheuer
Cunningham	Kastenmeier	Schisler
Curtin	Keith	Schmidhauser
Curtis	Kelly	Schneebeli
Daddario	King, Calif.	Schweiker
Dague	King, N.Y.	Scott
Daniels	King, Utah	Secrest
Davis, Ga.	Kirwan	Shipley
Dawson	Kluczynski	Shriver
de la Garza	Krebs	Sickles
Delaney	Kunkel	Sikes
Dent	Laird	Sisk
Denton	Langen	Skubitz
Dingell	Leggett	Smith, Calif.
Dole	Lipscomb	Smith, Iowa
Donohue	Long, La.	Smith, N.Y.
Dorn	Long, Md.	Smith, Va.
Dow	Love	Springer
Dowdy	McCarthy	Stafford
Downing	McClory	Staggers
Dulski	McCulloch	Stalbaum
Duncan, Oreg.	McDade	Stanton
Dyal	McDowell	Steed
Edmondson	McEwen	Stratton
Edwards, Calif.	McFall	Stubblefield
Ellsworth	McGrath	Sullivan
Erlenborn	McVicker	Talcott
Evans, Colo.	Machen	Taylor
Everett	Mackay	Teague, Calif.
Evins, Tenn.	Mahon	Teague, Tex.
Fallon	Mailliard	Tenzer
Farbstein	Marsh	Thompson, Tex.
Farnsley	Martin, Nebr.	Thomson, Wis.
Findley	Mathias	Trimble
Fino	Matsunaga	Tupper
Fisher	Matthews	Tuten
Flynt	Meeds	Udall
Fogarty	Miller	Ullman
Foley	Minish	Utt
Ford, William D.	Mink	Vigorito
Fountain	Minshall	Vivian
Fraser	Moeller	Waggonner
Friedel	Monagan	Walker, Miss.
Fulton, Pa.	Moore	Walker, N. Mex.
Fuqua	Moorhead	Watkins
Garmatz	Morgan	Watson
Gathings	Morris	Watts
Gettys	Morrison	Whalley
Giaimo	Morse	White, Tex.
Gibbons	Mosher	Whitener
	Moss	Whitten
	Multer	Widnall
	Murphy, Ill.	Williams
	Murphy, N.Y.	Willis
	Murray	Wilson, Bob
	Wolff	Wydler
	Wright	Yates
	Wyatt	Young
		Younger

NAYS—19

Baldwin	Dickinson	Latta
Brock	Duncan, Tenn.	Lennon
Buchanan	Ford, Gerald R.	May
Callaway	Griffin	Michel
Cramer	Gross	Morton
Davis, Wis.	Hall	
Devine	Hansen, Idaho	

NOT VOTING—90

Andrews, George W.	Fulton, Tenn.	Poage
Ashbrook	Gallagher	Powell
Bandstra	Goodell	Purcell
Baring	Grabowski	Quillen
Barrett	Gray	Reid, Ill.
Berry	Griffiths	Reifel
Bolling	Halpern	Roberts
Bolton	Hanna	Roncalio
Bonner	Hébert	Roosevelt
Burton, Utah	Hungate	Rostenkowski
Cameron	Hutchinson	Ryan
Carey	Jacobs	Saylor
Chamberlain	Kee	Selden
Chelf	Keogh	Senner
Clawson, Del	Kornegay	Slack
Clevenger	Landrum	Stephens
Collier	Lindsay	Sweeney
Colmer	McMillan	Thomas
Conyers	Macdonald	Thompson, N.J.
Corman	MacGregor	Todd
Craley	Mackie	Toll
Derwinski	Madden	Tuck
Diggs	Martin, Ala.	Tunney
Dwyer	Martin, Mass.	Van Deerlin
Edwards, Ala.	Mills	Vanik
Farnum	Mize	Weltner
Fascell	Nix	White, Idaho
Feighan	O'Neal, Ga.	Wilson, Charles H.
Flood	O'Neill, Mass.	Zablocki
Frelinghuysen	Patman	
	Pepper	

So the motion was agreed to.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AUTHORIZING CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. RIVERS of South Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10775) to authorize certain construction at military installations, and for other purposes.

The Clerk read as follows:

H.R. 10775

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

TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparations, appurtenances, utilities and equipment for the following projects:

Inside the United States

Continental United States, Less Army Materiel Command

(First Army)

Fort Devens, Massachusetts: Hospital facilities and troop housing, $11,008,000.

Fort Dix, New Jersey: Maintenance facilities, medical facilities, and troop housing, $17,948,000.

Federal Office Building, Brooklyn, New York: Administrative facilities, $636,000.

United States Military Academy, West Point, New York: Hospital facilities, troop housing and community facilities, and utilities, $18,089,000.

(Second Army)

Fort Belvoir, Virginia: Training facilities, and hospital facilities, $2,296,000.

East Coast Radio Transmitter Station, Woodbridge, Virginia: Utilities, $211,000.

Fort Eustis, Virginia: Utilities, $158,000.

Fort Knox, Kentucky: Training facilities, maintenance facilities, troop housing, and community facilities, $15,422,000.

Fort Lee, Virginia: Community facilities, $700,000.

Fort Meade, Maryland: Ground improvements, $550,000.

Fort Monroe, Virginia: Administrative facilities, $4,950,000.

Vint Hill Farms, Virginia: Maintenance facilities, troop housing and utilities, $1,029,000.

(Third Army)

Fort Benning, Georgia: Maintenance facilities, troop housing and utilities, $5,325,000.

Fort Bragg, North Carolina: Maintenance facilities, supply facilities, medical facilities, troop housing and community facilities, $4,106,000.

Fort Campbell, Kentucky: Operational and training facilities, maintenance facilities, troop housing and utilities, $1,992,000.

Fort Gordon, Georgia: Training facilities, troop housing and community facilities, $18,485,000.

Fort Jackson, South Carolina: Training facilities, maintenance facilities, medical facilities, and troop housing facilities, $17,281,000.

Fort Rucker, Alabama: Maintenance facilities, troop housing, and community facilities, $3,720,000.

Fort Stewart, Georgia: Hospital facilities and utilities, $2,317,000.

(Fourth Army)

Fort Bliss, Texas: Operational facilities, administrative facilities, and community facilities, $838,000.

Brooke Army Medical Center, Texas, Training facilities, $8,300,000.

Fort Hood, Texas: Maintenance facilities, medical facilities, troop housing and community facilities, and utilities, $18,081,000.

Fort Sam Houston, Texas: Medical facilities, $1,300,000.

Fort Polk, Louisiana: Training facilities, troop housing, and utilities, $1,118,000.

Fort Sill, Oklahoma: Operational and training facilities, administrative facilities, troop housing and community facilities, $2,268,000.

(Fifth Army)

Fort Carson, Colorado: Maintenance facilities, $3,463,000.

Fort Benjamin Harrison, Indiana: Hospital facilities, troop housing and community facilities, $4,017,000.

Fort Leavenworth, Kansas: Operational facilities and medical facilities, $2,893,000.

Fort Riley, Kansas: Maintenance facilities, troop housing and community facilities, and utilities, $9,555,000.

Fort Sheridan, Illinois: Utilities, $47,000.

Fort Leonard Wood, Missouri: Operational and training facilities, and troop housing facilities, $16,084,000.

(Sixth Army)

Fort Irwin, California: Operational facilities, maintenance facilities, hospital facilities, community facilities, and utilities, $4,741,000.

Fort Lewis, Washington: Training facilities troop housing and community facilities, $710,000.

Presidio of Monterey, California: Training facilities and troop housing, $3,046,000.

Fort Ord, California: Maintenance facilities, $974,000.

Presidio of San Francisco, California: Administrative facilities, $1,299,000.

Two Rock Ranch, California: Operational facilities, maintenance facilities, and utilities, $385,000.

West Coast Receiving Station, California: Utilities, $166,000.

Yakima Firing Range, Washington: Troop housing, $56,000.

(Military District of Washington)

Army May Service, Maryland: Operational facilities, $182,000.

Cameron Station, Virginia: Medical facilities, $168,000.

Fort Myer, Virginia: Troop housing and community facilities, and utilities, $5,409,000.

Walter Reed Army Medical Center, District of Columbia: Medical facilities and utilities, $611,000.

Army Materiel Command

Aberdeen Proving Ground, Maryland: Administrative facilities and utilities, $3,419,000.

Aeronautical Maintenance Center, Texas: Maintenance facilities, $1,941,000.

Anniston Army Depot, Alabama: Maintenance facilities, $837,000.

Bayonne Naval Supply Center, Bayonne, New Jersey: Maintenance facilities, supply facilities, administrative facilities, and utilities, $3,658,000.

Blue Grass Army Depot, Kentucky: Operational facilities and maintenance facilities, $779,000.

Cold Regions Research and Engineering Laboratory, New Hampshire: Maintenance facilities, research, development and test facilities, $1,184,000.

Fort Detrick, Maryland: Operational facilities, research, development and test facilities, and utilities, $11,771,000.

Dugway Proving Ground, Utah: Community facilities, $137,000.

Edgewood Arsenal, Maryland: Utilities, $164,000.

Granite City Army Depot, Illinois: Utilities, $56,000.

Fort Huachuca, Arizona: Troop housing, $320,000.

Jefferson Proving Ground, Indiana: Operational facilities, $52,000.

Letterkenny Army Depot, Pennsylvania: Maintenance facilities, and utilities, $2,239,000.

Lexington Army Depot, Kentucky: Administrative facilities, and utilities, $526,000.

Fort Monmouth, New Jersey: Troop housing, $586,000.

Natick Laboratories, Massachusetts: Maintenance facilities, $1,371,000.

Navajo Army Depot, Arizona: Utilities, $56,000.

New Cumberland Army Depot, Pennsylvania: Operational facilities, supply facilities, and administrative facilities, $815,000.

Oakland Army Terminal, California: Community facilities, $912,000.

Picatinny Arsenal, New Jersey: Administrative facilities, $584,000.

Pueblo Army Depot, Colorado: Utilities, $337,000.

Red River Army Depot, Texas: Maintenance facilities and utilities, $465,000.

Redstone Arsenal, Alabama: Training facilities, $1,364,000.

Rock Island Arsenal, Illinois: Administrative facilities, and utilities, $826,000.

Rocky Mountain Arsenal, Colorado: Maintenance facilities, $36,000.

Savanna Army Depot, Illinois: Training facilities, $102,000.

Sharpe Army Depot, California: Maintenance facilities, $175,000.

Sierra Army Depot, California: Utilities, $115,000.

Tobyhanna Army Depot, Pennsylvania: Supply facilities, $199,000.

Tooele Army Depot, Utah: Utilities, $340,000.

Watervliet Arsenal, New York: Utilities, $1,713,000.

White Sands Missile Range, New Mexico: Research, development and test facilities, $473,000.

United States Army, Hawaii

Schofield Barracks, Hawaii: Maintenance facilities, troop housing and utilities, $3,175,000.

Outside the United States

Okinawa, Various: Community facilities, and utilities, $2,558,000.

Germany, Various: Operational facilities, and troop housing, $2,046,000.

Fort Clayton, Canal Zone: Utilities, $387,000.

Classified Location: Operational facilities. $2,400,000.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $39,470,000.

SEC. 103. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1966, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 104. (a) Public Law 86–500, as amended, is amended under heading "Inside the United States" in section 101, as follows: (1) Under the subheading "Technical Services Facilities (Ordnance Corps)," with respect to "Watertown Arsenal, Massachusetts," strike out, "$1,849,000" and insert in place thereof "$1,952,000."

(b) Public Law 86–500, as amended, is amended by striking out in clause (1) of section 502, "$80,460,000" and "$147,390,000" and inserting in place thereof "$80,563,000" and "$147,493,000," respectively.

SEC. 105. (a) Public Law 87–554, as amended, is amended under heading "Inside the United States" in section 101, as follows: (1) Under the subheading "Continental Army Command (Fifth Army)", with respect to "Fort Leonard Wood, Missouri," strike out "$8,567,000" and insert in place thereof "$9,066,000".

(b) Public Law 87–554, as amended, is amended by striking out in clause (1) of section 602, "$101,816,000", and "$150,325,000" and inserting in place thereof "$102,315,000", and "$150,824,000," respectively.

SEC. 106. (a) Public Law 88–174, as amended, is amended under heading "Inside the United States" in section 101, as follows:

(1) Under the subheading "Continental Army Command (Fifth Army)", with respect to "Fort Leonard Wood, Missouri", strike out "$8,163,000" and insert in place thereof "$8,737,000."

(2) Under the subheading "Army Component Commands (Pacific Command Area)", with respect to "Hawaii Defense Area, Hawaii", strike out "$150,000" and insert in place thereof "$279,000".

(b) Public Law 88–174, as amended, is amended by striking out in clause (1) of section 602, "$154,993,000", and "$199,650,000" and inserting in place thereof "$155,696,000" and "$200,353,000", respectively.

SEC. 107. (a) Public Law 88–390 is amended under heading "Inside the United States" in section 101, as follows:

(1) Under the subheading "Continental Army Command (Military District of Washington, District of Columbia)", with respect to "Fort Meyer, Virginia" strike out "$4,052,000" and insert in place thereof "$4,524,000."

(2) Under the subheading "United States Army Materiel Command (United States Army Weapons Command)" with respect to "Watervliet Arsenal, New York," strike out "$77,000" and insert in place thereof "$161,000".

(3) Under the subheading "United States Military Academy, West Point, New York" strike out "$20,578,000" and insert in place thereof "$27,997,000."

(4) Under the subheading "Army Security Agency" with respect to "Two Rock Ranch Station, California," strike out "$1,014,000" and insert in place thereof "$1,210,000."

(b) Public Law 88–390 is amended by striking out in clause (1) of section 602 "$241,526,000", and "$292,587,000," and inserting "$249,697,000", and "$300,758", respectively.

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

Inside the United States

Bureau of Ships Facilities

(Naval shipyards)

Naval Shipyards, Boston, Massachusetts: Maintenance facilities, and utilities, $5,105,000.

Naval Shipyard, Bremerton, Washington: Maintenance facilities, troop housing and community facilities, and ground improvements, $1,692,000.

Naval Shipyard, Charleston, South Carolina: Maintenance facilities, $5,917,000.

Naval Shipyard, Long Beach, California: Operational facilities, maintenance facilities, and utilities, $2,931,000.

Naval Shipyard, Mare Island, California: Maintenance facilities, and utilities, $1,129,000.

Naval Shipyard, Norfolk, Virginia: Maintenance facilities, and utilities, $2,703,000.

Naval Shipyard, Pearl Harbor, Oahu, Hawaii: Operational facilities, and maintenance facilities, $3,591,000.

Naval Shipyard, Philadelphia, Pennsylvania: Maintenance facilities, and supply facilities, $3,487,000.

Naval Shipyard, Portsmouth, New Hampshire: Maintenance facilities, $998,000.

Naval Shipyard, San Francisco, California: Maintenance facilities, $450,000.

(Fleet support stations)

Headquarters, Commander in Chief, Atlantic Fleet, Norfolk, Virginia: Troop housing, $873,000.

Naval Inshore Undersea Warfare Group, Norfolk, Virginia: Utilities, $216,000.

(Research, development, test and evaluation stations)

Navy Mine Defense Laboratory, Panama City, Florida: Supply facilities, $97,000.

Fleet Base Facilities

Naval Station, Charleston, South Carolina: Operational facilities, and troop housing, $765,000.

Naval Amphibious Base, Coronado, California: Maintenance facilities, $396,000.

Naval Command Systems Support Activity, District of Columbia: Administrative facilities, $643,000.

Naval Station, Key West, Florida: Supply facilities, and medical facilities, $1,293,000.

Naval Station, Long Beach, California: Troop housing and utilities, $2,319,000.

Naval Submarine Base, New London, Connecticut: Troop housing and community facilities, and utilities, $2,350,000.

Naval Station, Newport, Rhode Island: Maintenance facilities, and troop housing, $2,112,000.

Naval Station, Norfolk, Virginia: Operational facilities and community facilities, $2,133,000.

Naval Station, Pearl Harbor, Oahu, Hawaii: Administrative facilities, and troop housing, $670,000.

Naval Submarine Base, Pearl Harbor, Oahu, Hawaii: Operational housing, $271,000.

Naval Station, San Diego, California: Operational facilities, troop housing, and utilities, $4,508,000.

Naval Station, Treasure Island, California: Administrative facilities, medical facilities, troop housing and community facilities, and utilities and ground improvements, $1,856,000.

Naval Weapons Facilities

(Naval air training stations)

Naval Auxiliary Air Station, Chase Field, Texas: Operational facilities, and utilities, $152,000.

Naval Air Station, Corpus Christi, Texas: Real estate, $184,000.

Naval Auxiliary Landing Field, Ellyson Field, Florida: Operational facilities, troop housing, and utilities, $1,530,000.

Naval Air Station, Glynco, Georgia: Operational facilities, and troop housing, $637,000.

Naval Auxiliary Air Station, Kingsville, Texas: Operational facilities, troop housing, and utilities, $557,000.

Naval Air Station, Memphis, Tennessee: Training facilities, and troop housing, $5,792,000.

Naval Air Station, Pensacola, Florida: Maintenance facilities, administrative facilities, and utilities, $2,263,000.

Naval Auxiliary Air Station, Saufley Field, Florida: Training facilities, $664,000.

Naval Auxiliary Air Station, Whiting Field, Florida: Troop housing, and utilities, $1,355,000.

(Field support stations)

Naval Station, Adak, Alaska: Operational facilities, maintenance facilities, administrative facilities, and utilities, $5,000,000.

Naval Air Station, Alameda, California: Operational facilities, and troop housing, $784,000.

Naval Air Station, Barbers Point, Oahu, Hawaii: Troop housing and community facilities, $521,000.

Naval Air Station, Brunswick, Maine: Operational facilities, $161,000.

Naval Air Station, Cecil Field, Florida: Maintenance facilities, and administrative facilities, $1,124,000.

Naval Air Facility, El Centro, California: Operational facilities, $400,000.

Naval Auxiliary Air Station, Fallon, Nevada: Administrative facilities, and community facilities, $441,000.

Naval Air Station, Jacksonville, Florida: Operational facilities, maintenance facilities, troop housing, and utilities, $11,595,000.

Pacific Fleet Tactical Range, Kauai, Hawaii: Operational facilities, troop housing, and utilities, $1,878,000.

Naval Air Station, Key West, Florida: Operational facilities, and troop housing, $834,000.

Naval Air Station, Lakehurst, New Jersey: Training facilities, $119,000.

Naval Air Station, Lemoore, California: Training facilities, $990,000.

Naval Station, Mayport, Florida: Operational facilities, and utilities and ground improvements, $892,000.

Naval Air Station, Miramar, California: Operational facilities, maintenance facilities, and administrative facilities, $914,000.

Naval Air Station, Moffett Field, California: Operational facilities, $476,000.

Naval Air Station, Norfolk, Virginia: Maintenance facilities, and troop housing, $2,774,000.

Naval Air Station, North Island, California: Troop housing, and utilities, $853,000.

Naval Air Station, Oceana, Virginia: Operational facilities, maintenance facilities, and troop housing, $5,482,000.

Naval Air Station, Quonset Point, Rhode Island: Operational facilities, and community facilities, $509,000.

Naval Auxiliary Air Station, Ream Field, California: Troop housing, $2,024,000.

Naval Air Station, Sanford, Florida: Operational facilities, maintenance facilities, troop housing, utilities, and real estate, $7,249,000.

Naval Air Station, Whidbey Island, Washington: Operational and training facilities, maintenance facilities, and troop housing, $3,754,000.

(Marine corps air station)

Marine Corps Air Station, Beaufort, South Carolina: Operational training facilities, maintenance facilities, and utilities, $2,773,000.

Marine Corps Auxiliary Landing Field, Camp Pendleton, California: Operational facilities, $264,000.

Marine Corps Air Station, Cherry Point, North Carolina: Operational facilities, supply facilities, and troop housing, $4,569,000.

Marine Corps Air Station, El Toro, California: Operational facilities, supply facilities, and utilities, $659,000.

Marine Corps Air Facility, New River, North Carolina: Operational facilities, maintenance facilities, medical facilities, and troop housing, $2,587,000.

Marine Corps Air Facility, Santa Ana, California: Operational facilities, and troop housing, $2,483,000.

Marine Corps Air Station, Yuma, Arizona: Operational facilities, supply facilities, and utilities, $619,000.

(Fleet readiness stations)

Naval Ammunition Depot, Charleston, South Carolina: Medical facilities, administrative facilities, community facilities, and utilities, $1,355,000.

Naval Weapons Station, Concord, California: Maintenance facilities, and utilities, $609,000.

Naval Ammunition Depot, Oahu, Hawaii: Operational facilities, and troop housing, $597,000.

Naval Weapons Station, Seal Beach, California: Maintenance facilities, $100,000.

Naval Weapons Station, Yorktown, Virginia: Real estate, $75,000.

(Research, development, test and evaluation stations)

Naval Ordnance Test Station, China Lake, California: Operational facilities, and research, development and test facilities, $495,000.

Naval Parachute Facility, El Centro, California: Research, development and test facilities, and real estate, $2,300,000.

Naval Air Engineering Center, Philadelphia, Pennsylvania: Utilities, $155,000.

Pacific Missile Range, Point Mugu, California: Maintenance facilities, and research, development and test facilities; and, on San Nicolas Island, operational facilities, and troop housing, $2,480,000.

Supply Facilities

Naval Supply Depot, Newport, Rhode Island: Operational facilities, $726,000.

Naval Supply Center, Oakland, California: Administrative facilities, $590,000.

Marine Corps Facilities

Marine Corps Supply Center, Barstow, California: Supply facilities, $200,000.

Marine Corps Base, Camp Lejeune, North Carolina: Training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing and community facilities, and utilities and ground improvements, $7,126,000.

Marine Corps Base, Camp Pendleton, California: Training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $8,487,000.

Marine Corps Base, Twentynine Palms, California: Training facilities, $2,912,000.

Service School Facilities

Naval Academy, Annapolis, Maryland: Training facilities, and utilities and ground improvements, $9,532,000.

Naval Training Center, Great Lakes, Illinois: Training facilities, troop housing and community facilities, $11,457,000.

Naval Schools Command, Mare Island, California: Troop housing, $432,000.

Naval Postgraduate School, Monterey, California: Training facilities, $2,140,000.

Officer Candidate School, Newport, Rhode Island: Training facilities, $3,000,000.

Fleet Training Center, Norfolk, Virginia: Training facilities, $2,221,000.

Naval Schools Command, Norfolk, Virginia: Training facilities, $566,000.

Fleet Anti-Submarine Warfare School, San Diego, California: Troop housing, $1,212,000.

Naval Training Center, San Diego, California: Training facilities, and troop housing, $10,306,000.

Naval Schools Command, Treasure Island, California: Troop housing, $3,302,000.

Medical Facilities

National Naval Medical Center, Bethesda, Maryland: Troop housing, $800,000.

Naval Hospital, Charleston, South Carolina: Troop housing, $353,000.

Naval Hospital Corps School, Great Lakes, Illinois: Troop housing, $1,696,000.

Naval Hospital, Newport, Rhode Island: Hospital and medical facilities, $4,736,000.

Naval Dispensary and Dental Clinic, Pearl Harbor, Oahu, Hawaii: Medical facilities, $2,800,000.

Naval Hospital, Philadelphia, Pennsylvania: Troop housing, $315,000.

Naval Hospital, Saint Albans, New York: Troop housing, $718,000.

Naval Hospital, San Diego, California: Medical facilities, $1,433,000.

Communication Facilities

Naval Communication Station, Adak, Alaska: Operational facilities, and supply facilities, $303,000.

Naval Radio Station, Mount Moffett, Adak, Alaska: Operational facilities, $1,185,000.

Naval Autodin Facility, Albany, Georgia: Operational facilities, $313,000.

Naval Radio Station, Annapolis, Maryland: Troop housing, $86,000.

National Naval Reserve Master Control Radio Station, Arlington, Virginia: Operational facilities, $40,000.

Naval Communication Station, San Francisco (Stockton), California: Administration facilities, and troop housing, $518,000.

Naval Autodin Facility, Syracuse, New York: Operational facilities, $45,000.

Naval Communication Station, Wahiawa, Oahu, Hawaii: Operational facilities, supply facilities, troop housing, and utilities, $1,248,000.

Various locations: Utilities, $2,000,000.

Office of Naval Research Facilities

Naval Research Laboratory, District of Columbia: Research, development and test facilities, and utilities, $5,560,000.

Naval Training Device Center, Orlando, Florida: Research, development and test facilities, $851,000.

Yards and Docks Facilities

Naval Construction Battalion Center, Davisville, Rhode Island: Training facilities, community facilities, and real estate, $774,000.

Navy Public Works Center, Newport, Rhode Island: Utilities, $390,000.

Navy Public Works Center, Norfolk, Virginia: Operational facilities, and utilities, $1,868,000.

Navy Public Works Center, Pearl Harbor, Oahu, Hawaii: Maintenance facilities, $130,000.

Naval Construction Battalion Center, Port Hueneme, California: Troop housing, $893,000.

Outside the United States

Fleet Base Facilities

Naval Station, Guantanamo Bay, Cuba: Operational facilities, $187,000.

Fleet Activities, Ryukyus, Okinawa: Troop housing, $1,287,000.

Headquarters Support Activity, Taipei, Republic of China: Administrative facilities, $199,000.

Naval Weapons Facilities

Naval Air Station, Agana, Guam: Maintenance facilities, and medical facilities, $138,000.

Naval Air Station, Atsugi, Japan: Operational facilities, $2,047,000.

Naval Air Station, Cubi Point, Republic of the Philippines: Maintenance facilities, and community facilities, $331,000.

Marine Corps Air Facility, Futema, Okinawa: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities and ground improvements, $1,499,000.

Marine Corps Air Station, Iwakuni, Japan: Operational facilities, and troop housing, $639,000.

Naval Air Facility, Naha, Okinawa: Administrative facilities, and troop housing, $497,000.

Naval Station, Roosevelt Roads, Puerto Rico: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities and ground improvements, $7,986,000.

Naval Station, Rota, Spain: Operational facilities, maintenance facilities, troop housing and community facilities, and utilities, $5,616,000.

Supply Facilities

Naval Supply Depot, Subic Bay, Republic of the Philippines: Administrative facilities, $120,000.

Marine Corps Facilities

Camp Smedley D. Butler, Okinawa: Training facilities, maintenance facilities, administrative facilities, and community facilities, $841,000.

Communication Facilities

Naval Radio Station, Barrigada, Guam: Operational facilities, $526,000.

Naval Communication Station, Finegayan, Guam: Operational facilities, and troop housing, $1,701,000.

Naval Radio Station, Fort Allen, Puerto Rico: Operational facilities, and troop housing, $94,000.

Naval Radio Station, Isabela, Puerto Rico: Operational facilities and real estate, $1,237,000.

Naval Communication Station, Londonderry, Northern Ireland: Operational facilities, and troop housing and community facilities, $1,364,000.

Naval Radio Station, Sabana Seca, Puerto Rico: Community facilities, $603,000.

Naval Communication Station, San Miguel, Republic of the Philippines: Operational facilities, $563,000.

Naval Radio Station, Summit, Canal Zone: Operational facilities and troop housing and community facilities, $383,000.

Various locations: Utilities, $4,500,000.

Yards and Docks Facilities

Navy Public Works Center, Subic Bay, Republic of the Philippines: Utilities, $2,078,000.

SEC. 202. The Secretary of the Navy may establish or develop classified naval installations and facilities by acquiring, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $41,099,000.

SEC. 203. The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided,* That the Secretary of the Navy, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1966, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects:

Inside the United States

Air Defense Command

Ent Air Force Base, Colorado Springs, Colorado: Operational facilities, maintenance facilities, and troop housing, $1,767,000.

Hamilton Air Force Base, San Rafael, California: Operational facilities and troop housing, $1,297,000.

Kincheloe Air Force Base, Sault Sainte Marie, Michigan: Operational facilities, supply facilities, and community facilities, $189,000.

Kingsley Field, Klamath Falls, Oregon: Operational facilities and maintenance facilities, $258,000.

McChord Air Force Base, Tacoma, Washington: Operational and training facilities, maintenance facilities, medical facilities, and troop housing and community facilities, $3,736,000.

Otis Air Force Base, Falmouth, Massachusetts: Maintenance facilities, $700,000.

Richards-Gebaur Air Force Base, Kansas City, Missouri: Maintenance facilities, $104,000.

Selfridge Air Force Base, Mount Clemens, Michigan: Operational facilities and maintenance facilities, $117,000.

Stewart Air Force Base, Newburgh, New York: Operational facilities, $414,000.

Suffolk County Air Force Base, Westhampton Beach, New York: Operational facilities and community facilities, $294,000.

Tyndall Air Force Base, Panama City, Florida: Operational and training facilities, supply facilities, and troop housing, $2,991,000.

Air Force Accounting and Finance Center

Air Force Accounting and Finance Center, Denver, Colorado: Administrative facilities and utilities, $225,000.

Air Force Logistics Command

Griffiss Air Force Base, Rome, New York: Operational facilities and research, development, and test facilities, $1,890,000.

Hill Air Force Base, Ogden, Utah: Maintenance facilities, supply facilities, administrative facilities, and community facilities, $6,258,000.

Kelly Air Force Base, San Antonio, Texas: Operational facilities, maintenance facilities, administrative facilities, and troop housing and community facilities, $5,759,000.

McClellan Air Force Base, Sacramento, California: Operational facilities, maintenance facilities, administrative facilities, troop housing and community facilities, and utilities, $4,655,000.

Newark Air Force Station, Newark, Ohio: Utilities, $181,000.

Robins Air Force Base, Macon, Georgia: Operational facilities, maintenance facilities, administrative facilities, troop housing, and community facilities, and utilities, $6,983,000.

Tinker Air Force Base, Oklahoma City, Oklahoma: Operational facilities, maintenance facilities, administrative facilities, and community facilities, $7,314,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Research, development, and test facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $12,319,000.

Air Force Systems Command

Brooks Air Force Base, San Antonio, Texas: Operational facilities, research, development, and test facilities, and troop housing, $588,000.

Edwards Air Force Base, Muroc, California: Research, development, and test facilities, hospital facilities, and utilities, $2,897,000.

Eglin Air Force Base, Valparaiso, Florida: Operational facilities, maintenance facilities, medical facilities, troop housing and community facilities, and utilities, $2,684,000.

Holloman Air Force Base, Alamogordo, New Mexico: Operational facilities, research, development, and test facilities, supply facilities, administrative facilities, and troop housing and community facilities, $2,526,000.

Kirtland Air Force Base, Albuquerque, New Mexico: Research, development, and test facilities and community facilities, $1,517,000.

Patrick Air Force Base, Cocoa, Florida: Administrative facilities, community facilities, and utilities, $431,000.

Various locations, Eastern Test Range: Troop housing, and utilities, $415,000.

Air Training Command

Buckley Air Force Base, Auraro, Colorado: Operational facilities, medical facilities, and utilities, $106,000.

Chanute Air Force Base, Rantoul, Illinois: Training facilities, troop housing, and utilities, $5,442,000.

Craig Air Force Base, Selma, Alabama: Maintenance facilities, troop housing and community facilities, and utilities, $1,781,000.

Keesler Air Force Base, Biloxi, Mississippi: Training facilities, administrative facilities, and community facilities, $3,567,000.

Lackland Air Force Base, San Antonio, Texas: Training facilities, troop housing and community facilities, and utilities, $5,510,000.

Laredo Air Force Base, Laredo, Texas: Operational facilities, maintenance facilities, and troop housing and community facilities, $1,852,000.

Laughlin Air Force Base, Del Rio, Texas: Troop housing and community facilities, $866,000.

Lowry Air Force Base, Denver, Colorado: Community facilities, $352,000.

Mather Air Force Base, Sacramento, California: Training facilities, maintenance facilities, and troop housing and community facilities, $2,933,000.

Moody Air Force Base, Valdosta, Georgia: Operational and training facilities, supply facilities, troop housing and community facilities, and utilities, $1,782,000.

Randolph Air Force Base, San Antonio, Texas: Maintenance facilities and troop housing, $651,000.

Reese Air Force Base, Lubbock, Texas: Training facilities, troop housing and community facilities, and utilities, $1,533,000.

Sheppard Air Force Base, Wichita Falls, Texas: Training facilities, maintenance facilities, troop housing and community facilities, and utilities, $4,319,000.

Vance Air Force Base, Enid, Oklahoma: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $1,653,000.

Webb Air Force Base, Big Spring, Texas: Training facilities, supply facilities, and troop housing and community facilities, $1,342,000.

Williams Air Base, Chandler, Arizona: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $2,920,000.

Air University

Gunter Air Force Base, Montgomery, Alabama: Troop housing and utilities, $741,000.

Maxwell Air Force Base, Montgomery, Alabama: Troop housing, $770,000.

Alaska Air Command

Eielson Air Force Base, Fairbanks, Alaska: Operational facilities and supply facilities, $601,000.

Elmendorf Air Force Base, Anchorage, Alaska: Operational facilities, supply facilities, administrative facilities, community facilities, and utilities, $3,640,000.

Galena Airport, Galena, Alaska: Supply facilities, $374,000.

King Salmon Airport, Naknek, Alaska: Community facilities, $288,000.

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing and community facilities, and utilities, $7,837,000.

Headquarters Command

Andrews Air Force Base, Camp Springs, Maryland: Supply facilities, administrative facilities, troop housing and community facilities, and utilities, $2,923,000.

Military Air Transport Service

Charleston Air Force Base, Charleston, South Carolina: Operational facilities, maintenance facilities, supply facilities, troop housing, and real estate, $3,349,000.

Dover Air Force Base, Dover, Delaware: Training facilities and maintenance facilities, $1,180,000.

McGuire Air Force Base, Wrightstown, New Jersey: Maintenance facilities and utilities, $2,094,000.

Scott Air Force Base, Belleville, Illinois: Administrative facilities, troop housing and utilities, $2,240,000.

Travis Air Force Base, Fairfield, California: Operational and training facilities, maintenance facilities, medical facilities, and community facilities, $3,319,000.

Pacific Air Force

Hickam Air Force Base, Honolulu, Hawaii: Operational facilities, maintenance facilities, and troop housing and community facilities, $3,315,000.

Wheeler Air Force Base, Wahiawa, Hawaii: Community facilities, $396,000.

Strategic Air Command

Altus Air Force Base, Altus, Oklahoma: Operational facilities, $46,000.

Barksdale Air Force Base, Shreveport, Louisiana: Operational facilities, maintenance facilities, supply facilities, and troop housing, $3,015,000.

Beale Air Force Base, Marysville, California: Hospital facilities, community facilities, and utilities, $1,839,000.

Blytheville Air Force Base, Blytheville, Arkansas: Operational facilities, maintenance facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $1,792,000.

Bunker Hill Air Force Base, Peru, Indiana: Operational facilities, hospital facilities, and community facilities, $1,785,000.

Carswell Air Force Base, Fort Worth, Texas: Operational facilities and troop housing, $662,000.

Castle Air Force Base, Merced, California: Community facilities, $49,000.

Columbus Air Force Base, Columbus, Mississippi: Operational facilities and community facilities, $306,000.

Davis-Monthan Air Force Base, Tucson, Arizona: Supply facilities, hospital facilities, administrative facilities, troop housing and community facilities, utilities and ground improvements, $4,235,000.

Ellsworth Air Force Base, Rapid City, South Dakota: Community facilities, $426,000.

Fairchild Air Force Base, Spokane, Washington: Community facilities, $187,000.

Francis E. Warren Air Force Base, Cheyenne, Wyoming: Community facilities, $263,000.

Grand Forks Air Force Base, Grand Forks, North Dakota: Troop housing and community facilities, and utilities, $4,453,000.

Homestead Air Force Base, Homestead, Florida: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $1,908,000.

K. I. Sawyer Municipal Airport, Marquette, Michigan: Operational facilities and supply facilities, $148,000.

Little Rock Air Force Base, Little Rock, Arkansas: Operational facilities and troop housing, $1,169,000.

Lockbourne Air Force Base, Columbus, Ohio: Community facilities, $565,000.

Malmstrom Air Force Base, Great Falls, Montana: Troop housing and utilities, $577,000.

March Air Force Base, Riverside, California: Operational facilities, maintenance facilities, and troop housing, $3,051,000.

McCoy Air Force Base, Orlando, Florida: Troop housing, $40,000.

Minot Air Force Base, Minot, North Dakota: Operational facilities and maintenance facilities, $109,000.

Mountain Home Air Force Base, Mountain Home, Idaho: Maintenance facilities and troop housing, $171,000.

Offutt Air Force Base, Omaha, Nebraska: Training facilities and utilities, $389,000.

Plattsburgh Air Force Base, Plattsburgh, New York: Maintenance facilities, $126,000.

Turner Air Force Base, Albany, Georgia: Maintenance facilities, hospital facilities, and troop housing and community facilities, $4,643,000.

Vandenberg Air Force Base, Lampoc, California: Operational facilities, supply facilities, community facilities, and utilities, $691,000.

Walker Air Force Base, Roswell, New Mexico: Community facilities, $796,000.

Westover Air Force Base, Chicopee Falls, Massachusetts: Supply facilities, $298,000.

Whiteman Air Force Base, Knob Noster, Missouri: Community facilities, $218,000.

Wurtsmith Air Force Base, Oscoda, Michigan: Operational facilities, $45,000.

Tactical Air Command

Cannon Air Force Base, Clovis, New Mexico: Operational and training facilities, administrative facilities, and troop housing, $1,823,000.

England Air Force Base, Alexandria, Louisiana: Operational facilities, maintenance facilities, supply facilities, and troop housing and community facilities, $2,085,000.

George Air Force Base, Victorville, California: Operational and training facilities, maintenance facilities, administrative facilities, and community facilities, $2,483,000.

Langley Air Force Base, Hampton, Virginia: Operational facilities, administrative facilities, and troop housing and community facilities, $3,696,000.

Luke Air Force Base, Phoenix, Arizona: Maintenance facilities, administrative facilities, and troop housing and community facilities, $774,000.

MacDill Air Force Base, Tampa, Florida: Operational facilities, maintenance facilities, supply facilities, administrative facilities, and troop housing and community facilities, $9,279,000.

McConnell Air Force Base, Wichita, Kansas: Operational facilities, medical facilities, and community facilities, $755,000.

Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Operational and training facilities, maintenance facilities, supply facilities, hospital facilities, administrative facilities, ground improvements and real estate, $1,639,000.

Nellis Air Force Base, Las Vegas, Nevada: Operational facilities and supply facilities, $1,636,000.

Pope Air Force Base, Fort Bragg, North Carolina: Operational facilities, medical facilities, administrative facilities, and troop housing and community facilities, $2,560,000.

Shaw Air Force Base, Sumter, South Carolina: Operational facilities, maintenance facilities, supply facilities, and troop housing and community facilities, $1,189,000.

United States Air Force Academy

United States Air Force Academy, Colorado Springs, Colorado: Training facilities, $8,872,000.

United States Air Force Security Service

Goodfellow Air Force Base, San Angelo, Texas: Troop housing, $275,000.

Aircraft Control and Warning System

Various locations: Maintenance facilities, troop housing, and utilities, $1,377,000.

Outside the United States

Air Defense Command

Various locations: Maintenance facilities, troop housing and community facilities, and utilities, $970,000.

Military Air Transport Service

Wake Island Air Force Station, Wake Island: Supply facilities, troop housing and utilities, $1,391,000.

Various locations: Maintenance facilities and medical facilities, $953,000.

Pacific Air Force

Various locations: Operational facilities, maintenance facilities, supply facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $21,935,000.

Strategic Air Command

Various locations: Utilities, $335,000.

United States Air Force in Europe

Various locations: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $12,002,000.

United States Air Force Southern Command

Howard Air Force Base, Canal Zone: Operational facilities, maintenance facilities, supply facilities, and community facilities, $1,686,000.

United States Air Force Security Service

Various locations: Operational facilities, supply facilities, medical facilities, community facilities, and utilities, $3,411,000.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent of temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $71,063,000.

SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by: (a) Unforseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided,* That the Secretary of the Air Force or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorizatioon will expire as of September 30, 1966, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 304. (a) Public Law 88–174, as amended is amended in section 301 under the heading "Inside the United States" as follows:

(1) Under the subheading "Air Force Systems Command", with respect to Sacramento Peak Upper Air Research Site, Alamogordo, New Mexico, by striking out "$2,889,000" and inserting in place thereof "$3,167,000".

(2) Under the subheading "Strategic Air Command", with respect to March Air Force Base, Riverside, California, by striking out "$186,000" and inserting in place thereof "$255,000".

(b) Public Law 88–174, as amended, is amended by striking out in clause (3) of section 602 the amounts of "$161,940,000" and "$491,622,000" and inserting in place thereof "$162,287,000" and "$491,969,000", respectively.

TITLE IV

SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for defense agencies for the following projects:

Inside the United States

Defense Atomic Support Agency

Sandia Base, Albuquerque, New Mexico: Utilities, $188,000.

Clarksville Base, Clarksville, Tennessee: Troop housing, $36,000.

Killeen Base, Killeen, Texas: Troop housing, $45,000.

Defense Intelligence Agency

Arlington Hall Station, Arlington, Virginia: Operational and training facilities, $17,900,000.

Defense Supply Agency

Defense Construction Supply Center, Columbus, Ohio: Maintenance facilities and supply facilities, $301,000.

Defense Depot, Memphis, Tennessee: Supply facilities, $266,000.

Defense Depot, Ogden, Utah: Supply facilities, $329,000.

Defense Clothing and Textile Supply Center, Philadelphia, Pennsylvania: Administrative facilities, $950,000.

Defense Industrial Supply Center, Philadelphia, Pennsylvania: Administrative facilities, $255,000.

National Security Agency

Fort Meade, Maryland: Operational facilities and production facilities, $6,075,000.

Office of Secretary of Defense

Armed Forces Radio and Television Service, Los Angeles, California: Operational facilities, $18,000.

Outside the United States

Defense Atomic Support Agency

Johnston Island Air Force Base: Research, development and test facilities, $3,688,000.

SEC. 402. The Secretary of Defense may establish or develop installations and facilities required for advanced research projects and in connection therewith may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment, in the total amount of $20,000,000.

SEC. 403. The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $50,000,000: *Provided,* That the Secretary of Defense, or his designee, shall notify the Committes on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto.

TITLE V

Military Family Housing

SEC. 501. The Secretary of Defense, or his designee, is authorized to construct, at the locations hereinafter named, family housing units and trailer court facilities, in the numbers hereinafter listed, but no family housing construction shall be commenced at any such locations in the United States, until the Secretary shall have consulted with the Administrator, Housing and Home Finance Agency, as to the availability of adequate private housing at such locations. If the Secretary and the Administrator are unable to reach agreement with respect to the availability of adequate private housing at any location, the Secretary shall immediately notify the Committees on Armed Services of the House of Representatives and the Senate, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

(a) Family housing units for—

(1) The Department of the Army, two thousand and fifty units, $39,864,000:

Presidio of San Francisco California, one hundred and fifty units.

Fort Benning, Georgia, three hundred units.

Fort Leavenworth, Kansas, fifty units.

Fort Meade, Maryland, three hundred and forty units.

Fort Monmouth, New Jersey, one hundred units.

United States Military Academy, West Point, New York, two hundred units.

Fort Jackson, South Carolina, one hundred and eighty units.

Fort Monroe, Virginia, fifty units.

Atlantic Side, Canal Zone, one hundred units.

Pacific Side, Canal Zone, three hundred units.

Fort Buckner, Okinawa, two hundred and eighty units.

(2) The Department of the Navy, four thousand five hundred and forty units, $79,950,000:

Marine Corps Supply Center, Barstow, California, fifty-two units.

Marine Corps Air Station, El Toro, California, two hundred and fifty units.

Naval Complex, Long Beach, California, two hundred units.

Naval Post Graduate School, Monterey, California, two hundred and eight units.

Naval Complex, East Bay, San Francisco, California, four hundred units.

Naval Complex, South Bay, San Francisco, California, three hundred units.

Naval Complex, West Bay, San Francisco, California, three hundred units.

Naval Base, Key West, Florida, four hundred units.

Naval Air Station, Pensacola, Florida, two hundred and fifty units.

United States Navy installations, Oahu, Hawaii, three hundred units.

Naval Training Center, Great Lakes, Illinois, two hundred units.

Naval Base, Newport, Rhode Island, two hundred units.

Naval Air Station, Quonset Point, Rhode Island, two hundred units.

Naval Air Station, Corpus Christi, Texas, three hundred and fifty units.

Naval Complex, Norfolk, Virginia, five hundred units.

Marine Corps Schools, Quantico, Virginia, one hundred units.

Naval Station, Keflavik, Iceland, one hundred and fifty units.

Naval Complex, Naha, Okinawa, forty units.

Naval Station, Sangley Point, Republic of Philippines, one hundred and forty units.

(3) The Department of the Air Force, four thousand five hundred and ninety units, $85,770,000:

Eielson Air Force Base, Alaska, two hundred units.

Elmendorf Air Force Base, Alaska, two hundred units.

Beale Air Force Base, California, three hundred units.

Vandenberg Air Force Base, California, three hundred units.

Ent Air Force Base, Colorado, forty-nine units.

Eglin Air Force Base, Florida, three hundred units.

United States Air Force installations, Oahu, Hawaii, two hundred and fifty units.

Scott Air Force Base, Illinois, one hundred and fifty units.

England Air Force Base, Louisiana, three hundred and fifty units.

Andrews Air Force Base, Maryland, two hundred and fifty units.

Keesler Air Force Base, Mississippi, one hundred units.

Nellis Air Force Base, Nevada, one unit.

Cannon Air Force Base, New Mexico, one hundred and fifty units.

Langley Air Force Base, Virginia, one hundred units.

F. E. Warren Air Force Base, Wyoming, one hundred units.

Pacific Side, Canal Zone, two hundred and fifty units.

Andersen Air Force Base, Guam, two hundred units.

Goose Air Base, Newfoundland, Canada, one hundred units.

Kadena Air Base, Okinawa, two hundred units.

Naha Air Base, Okinawa, one hundred and seventy units.

Clark Air Base, Republic of Philippines, four hundred units.

Site 4–S, seventy units.

Site 6–S, two hundred units.

Site QC, two hundred units.

(b) Trailer court facilities for:

(1) The Department of the Navy, 200 spaces $360,000.

(2) The Department of the Air Force, 400 spaces, $720,000.

SEC. 502. Authorizations for the construction of family housing provided in this Act shall be subject to the following limitations on cost, which shall include shades, screens, ranges, refrigerators, and all other installed equipment and fixtures:

(a) The cost per unit of family housing constructed in the United States (other than Hawaii and Alaska) and Puerto Rico shall not exceed—

$24,000 for general officers or equivalent;

$19,800 for colonels or equivalent;

$17,600 for majors and/or lieutenant colonels or equivalent;

$15,400 for all other commissioned or warrant officer personnel or equivalent, except that four-bedroom housing units authorized by sections 4774(g), 7574(e), and 9774(g) of title 10, United States Code, may be constructed at a cost not to exceed $17,000;

$13,200 for enlisted personnel, except that four-bedroom housing units authorized by sections 4774(f), 7574(d), and 9774(f) of title 10, United States Code, may be constructed at a cost not to exceed $15,000.

(b) When family housing units are constructed in areas other than those listed in subsection (a), the average cost of all such units, in any project of fifty units or more, shall not exceed $32,000, and in no event shall the cost of any unit exceed $40,000.

(c) The cost limitations provided in subsections (a) and (b) shall be applied to the five-foot line.

(d) For all units constructed in the areas listed in subsection (a), exclusive of the project for the United States Military Academy at West Point, the average unit cost for each military department shall not exceed $17,500, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(e) No family housing unit in the areas listed in subsection (a) shall be constructed at a total cost exceeding $28,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(f) Units constructed at the United States Military Academy, West Point, shall not be subject to the limitations of subsections (a) through (e) of this section, but the average cost of such units shall not exceed $36,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

SEC. 503. The Secretary of Defense, or his designee, is authorized to accomplish alterations, additions, expansions, or extensions not otherwise authorized by law, to existing public quarters at a cost not to exceed—

(a) For the Department of the Army, $8,000,000.

(b) For the Department of the Navy, $5,000,000.

(c) For the Department of the Air Force, $4,800,000.

(d) For the Defense Agencies, $396,000.

SEC. 504. Section 515 of Public Law 84–161 (69 Stat. 324, 352), as amended, is amended to read as follows:

"SEC. 515. During fiscal years 1966 through and including 1967, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military installations in the United States and Puerto Rico for assignment as public quarters to military personnel and their dependents, if any, without rental charge, upon a determination by the Secretary of Defense, or his designee, that there is a lack of adequate housing facilities at or near such military installations. Such housing facilities may be leased on an individual basis and not more than seven thousand such units may be so leased at any one time. Expenditures for the rental of such housing facilities may not exceed an average of $160 a month for each military department, including the cost of utilities and maintenance and operation."

SEC. 505. Section 507 of Public Law 88–174 (77 Stat. 307, 326), is amended by deleting the figures "1964" and "1965", and inserting in lieu thereof the figures "1966" and "1967".

SEC. 506. The Secretary of Defense or his designee is authorized to relocate 200 units of relocatable housing from Glasgow Air Force Base, Montana, to other military installations where there are housing shortages: *Provided*, That the Secretary of Defense shall notify the Committees on Armed Services of the House of Representatives and the Senate of the proposed new locations and estimated costs, and no contract shall be awarded within thirty days of such notification.

SEC. 507. There is authorized to be appropriated for use by the Secretary of Defense or his designee for military family housing as authorized by law for the following purposes:

(a) for construction and acquisition of family housing, including improvements to adequate quarters, improvements to inadequate quarters, minor construction, rental guarantee payments, construction and acquisition of trailer court facilities, and planning, an amount not to exceed $195,589,000 and

(b) for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts, incurred, payments to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $488,799,000.

SEC. 508. Notwithstanding the authorizations for the construction of family housing contained in section 501(a) of this Act, the total number of units of family housing which may be contracted for under authority of such section shall not exceed nine thousand five hundred units.

TITLE VI

General Provisions

SEC. 601. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529) and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to

acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 602. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V shall not exceed—

(1) for title I: Inside the United States, $252,661,000, outside the United States, $7,391,000, section 102, $39,470,000, section 103, $10,000,000 or a total of $309,522,000.

(2) for title II: Inside the United States, $225,877,000, outside the United States, $34,436,000, section 202, $41,099,000, section 203, $10,000,000 or a total of $311,412,000.

(3) for title III: Inside the United States, $210,630,000, outside the United States, $42,683,000, section 302, $71,063,000, section 303, $10,000,000 or a total of $334,376,000.

(4) for title IV: A total of $100,051,000.

(5) for title V: Military family housing, a total of $684,388,000.

SEC. 603. Any of the amounts named in titles I, II, III, and IV of this Act, may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States (other than Alaska) and by 10 per centum for projects outside the United States or in Alaska, if he determines in the case of any particular project that such increase (1) is required for the sole purpose of meeting unusual variations in cost arising in connection with that project, and (2) could not have been reasonably anticipated at the time such project was submitted to the Congress. However, the total costs of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

SEC. 604. Whenever—

(1) the President determines that compliance with section 2313(b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

SEC. 605. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Bureau of Yards and Docks, Department of the Navy, unless the Secretary of Defense determines that because such jurisdiction and supervision is wholly impracticable such contracts should be executed under the jurisdiction and supervision of another department or Government agency, and shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. Regulations issued by the Secretary of Defense implementing the provisions of this section shall provide the department or agency requiring such construction with the right to select either the Corps of Engineers, Department of the Army, or the Bureau of Yards and Docks, Department of the Navy, as its construction agent, providing that under the facts and circumstances that exist at the time of the selection of the construction agent, such selection will not result in any increased cost to the United States. The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

SEC. 606. (a) As of October 1, 1966, all authorizations for military public works (other than family housing) to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in Acts approved before August 2, 1964, and not superseded or otherwise modified by a later authorization are repealed except—

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

(2) the authorization for public works projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before October 1, 1966, and authorizations for appropriations therefor;

(3) notwithstanding the provisions of section 606 of the Act of August 1, 1964 (78 Stat. 341, 363), the authorization of the following items, which shall remain in effect until October 1, 1967:

(a) operational and training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing and community facilities, utilities and ground improvements in the amount of $611,000 at Fort Benning, Georgia, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of July 27, 1962 (76 Stat. 223).

(b) operational and training facilities, maintenance facilities, administrative facilities and utilities in the amount of $833,000 at Fort Bragg, North Carolina, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of July 27, 1962 (76 Stat. 223).

(c) operational and training facilities. troop housing and community facilities, and utilities in the amount of $4,241,000 at Fort Dix, New Jersey, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (First Army)" of the Act of November 7, 1963 (77 Stat. 307).

(d) training facilities in the amount of $290,000 at Fort Belvoir, Virginia, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(e) operational facilities, maintenance facilities, medical facilities, administrative facilities, and utilities in the amount of $236,000 at Fort Knox, Kentucky, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(f) maintenance facilities in the amount of $449,000 at Fort Story, Virginia, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(g) maintenance facilities, medical facilities, community facilities, and utilities in the amount of $512,000 at Fort Benning, Georgia, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(h) training facilities, maintenance facilities, supply facilities, medical facilities, troop housing and utilities in the amount of $1,836,000 at Fort Bragg, North Carolina, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(i) operational facilities, maintenance facilities, supply facilities, medical facilities, and administrative facilities in the amount of $553,000 at Fort Campbell, Kentucky, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(j) training facilities, troop housing and community facilities in the amount of $919,000 at Fort Irwin, California, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Sixth Army)" of the Act of November 7, 1963 (77 Stat. 308).

(k) operational facilities, maintenance facilities, troop housing and utilities in the amount of $719,000 at various locations that is contained in title I, section 101 under heading "Inside the United States" and subheading "Army Component Commands (United States Army Air Defense Command)" of the Act of November 7, 1963 (77 Stat. 309).

(l) maintenance facilities in the amount of $1,498,000 at Fort Richardson, Alaska, that is contained in title I, under the heading "Inside the United States" and subheading "Army Component Commands (Alaska Command Area)" of the Act of November 7, 1963 (77 Stat. 309).

(m) maintenance facilities in the amount of $721,000 at Schofield Barracks, Hawaii, that is contained in title I, under the heading "Inside the United States" and subheading "Army Component Commands (Pacific Command Area)" of the Act of November 7, 1963 (77 Stat. 309).

(n) operational facilities, supply facilities, administrative facilities, troop housing, community facilities and utilities in the amount $968,000 at various locations that is contained in title I, section 101, under heading "Outside the United States" and subheading "Army Security Agency" of the Act of November 7, 1963 (77 Stat. 310).

(o) operational facilities, maintenance facilities, supply facilities, troop housing and utilities in the amount of $5,995,000 in Germany that is contained in title I, section 101 under the heading "Outside the United States" and subheading "Army Component Commands (European Command Area)" of the Act of November 7, 1963 (77 Stat. 310).

(p) operational facilities in the amount of $6,900,000 at various locations that is contained in title I, section 102 of the Act of November 7, 1963 (77 Stat. 310).

(q) training facilities in the amount of $7,600,000 for the Naval Academy, Annapolis, Maryland, that is contained in title II, section 201, under the heading "Service School Facilities" of the Act of November 7, 1963 (77 Stat. 314).

(r) administrative facilities in the amount of $3,484,000 for the Naval Research Laboratory, District of Columbia, that is contained in title II, section 201, under the heading "Office of Naval Research Facilities" of the Act of November 7, 1963 (77 Stat. 315).

(s) community facilities in the amount of $550,000 for Camp Smedley D. Butler, Okinawa, that is contained in title II, section 201, under the heading "Outside the United States" and subheading "Marine Corps Facilities" of the Act of November 7, 1963 (77 Stat. 315).

(b) Effective fifteen months from the date of enactment of this Act, all authorizations for construction of family housing which are contained in this Act or any Act approved prior to August 2, 1964, are repealed except (1) the authorization for family

housing projects as to which appropriated funds have been obligated for construction contracts or land acquisitions or manufactured structural component contracts in whole or in part before such date, (2) the authorization for two hundred family housing units at a classified location contained in the Act of August 1, 1964 (78 Stat. 341, 359), and the authorization for 180 units at Site 4–S contained in the Act of August 1, 1964 (78 Stat. 341, 360).

SEC. 607. (a) It is the sense of Congress that all the land comprising the Bolling-Anacostia complex will be required for military purposes within the foreseeable future and should be retained by the Department of Defense for such use.

(b) Notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471, et seq.), the Housing Act of 1949, as amended (42 U.S.C. 1441, et seq.), the Act of June 8, 1960 (40 U.S.C. 2662), or any other law, no portion of the Bolling Air Force Base or the Anacostia Naval Air Station shall be determined excess to the needs of the holding agency or transferred, reassigned, or otherwise disposed of by such agency prior to July 1, 1967.

SEC. 608. (a) All construction under this Act shall be designed using techniques developed by the Office of Civil Defense to maximize fallout protection, where such can be done without impairing the purpose for which the construction is authorized or the effectiveness of the structure, unless exempted from this requirement under regulations prescribed by the Secretary of Defense or his designee.

(b) The Secretary of Defense shall make appropriate provision for the utilization of technical design and construction methods in the preparation of design and construction plans and in construction under this Act, to assure carrying out the purposes of this section; and for such purposes expenditures on individual projects shall not exceed one per centum of the amount authorized for that project.

SEC. 609. Every contract between the Secretary of the Air Force and the Aerospace Corporation shall prohibit the construction of any facility or the acquisition of any real property by the Aerospace Corporation unless such construction or acquisition has first been authorized to the Air Force by the Congress.

SEC. 610. Except in the case of hospitals authorized for construction under this or any previous Act, any military hospital hereafter constructed in the United States or its possessions shall include facilities for obstetrical care unless sound and specific justification is made by the Secretary concerned for omitting such facilities in any hospital authorized.

SEC. 611. (a) No camp, post, station, base, yard or other installation under the authority of the Department of Defense shall be closed or abandoned until after the expiration of thirty days from the date upon which a full report of the facts, including the justification for such proposed action, is submitted by the Secretary of Defense to the Committee on Armed Services of the Senate and House of Representatives.

(b) This section shall apply only to posts, camps, stations, bases, yards, or other installations that are located in the United States and Puerto Rico and have a total military and civilian complement of more than two hundred and fifty. It shall not apply to any facility used primarily for river and harbor projects or flood control projects.

SEC. 612. None of the authority contained in titles I, II, III, and IV of this Act shall be deemed to authorize any building construction project inside the United States (other than Alaska) at a unit cost in excess of—

(1) $32 per square foot for cold-storage warehousing;

(2) $8 per square foot for regular warehousing;

(3) $1,850 per man for permanent barracks;

(4) $8,500 per man for bachelor officer quarters: unless the Secretary of Defense or his designees determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable.

SEC. 613. The last sentence of section 2674 (a) of title 10, United States Code, as amended by changing the figure "$10,000" to "$15,000".

SEC. 614. Titles I, II, III, IV, V, and VI of this Act may be cited as the "Military Construction Authorization Act, 1966."

TITLE VII

Reserve Forces Facilities

SEC. 701. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) for Department of the Army: Army National Guard of the United States, $9,200,000.

(2) for the Department of the Navy: Naval and Marine Corps Reserves, $8,890,000.

(3) for Department of the Air Force:

(a) Air National Guard of the United States, $9,000,000.

(b) Air Force Reserve, $3,400,000.

SEC. 702. The Secretary of the Navy is authorized to convey to the city of Little Rock, Arkansas, without consideration, all right, title, and interest in so much of the land and improvements comprising the Naval and Marine Corps Reserve Training Center, Little Rock, Arkansas, as is agreed to be required for a right-of-way for construction of a public highway, at such times as that portion of the land and improvements may no longer be required as a part of said training center.

SEC. 703. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 704. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1966."

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

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

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

There was no objection.

Mr. RIVERS of South Carolina. Mr. speaker, I yield myself as much time as I may require.

Mr. Speaker, the military construction bill which we are considering today contains a new section 611 in lieu of the base closure language contained in H.R. 8439, which was objected to by the Attorney General of the United States, and based on this objection, was vetoed by the President. The only changes we have made in the bill is in section 611, plus technical changes and one other committee amendment which is on the Speaker's desk.

The total cost of the bill is $1,780,062,000, insofar as the authorization is concerned.

Now, of course, the true issue before the House is the veto message and I would like to discuss that matter with the membership.

The President's veto message is similar in some respects to other veto messages that are based on the allegation that a particular section of a bill is an unconstitutional invasion of the powers of the Executive.

I might point out, however, that in this veto message there are several rather important differences, or perhaps I might even say, concessions. I will discuss those in more detail in a few moments.

The Attorney General, being an appointee of the President, based his veto recommendation on the assumption that through section 611 the legislative branch sought to invade the prerogatives of the executive branch of Government.

And you can guess what would happen to any Attorney General who did not reach such a conclusion.

But, there is no Attorney General that the Congress can consult to raise objections to actions by the Executive when the Executive invades the prerogatives of the legislative branch.

Is there anyone here who is so naive as to believe that the real problem of today is the erosion of power of the Executive by the Congress? We all know the contrary is true. The executive branch, as well as the courts, have assumed, or have delegated so much power, that there remain only limited areas where the Congress is required to act.

I suggest that the time has come when the Congress should contemplate setting up an office of its own to determine the extent to which the Executive may have eroded or invaded the powers of the legislative branch of Government.

Now, let us look at this base closing provision, which was contained in the military construction bill and objected to by the Attorney General.

The original House language provided that a base could not be closed if either House adopted a resolution of disapproval. The conferees in a compromise effort agreed upon language that limited the submission of base closures to the period January 1 through April 30, but without reserving any veto power in the Congress.

The bill before you today, in section 611, says that no base shall be closed or abandoned until 30 days after the report has been filed with the Armed Services Committees of both Houses, and that report must include all facts and the justification for the base closure.

The conference language, in effect, established a period of time during which the Secretary of Defense could not submit any base closures. In this way, the language before the House today and the conference report differ, but in other respects the language before the House today and the language that was vetoed are similar, because in both cases the

Congress could not, by the adoption of a simple resolution, block the closing of a military base.

We must bear in mind that the Congress established each of these bases, in some cases by authorization, in other cases just with appropriations, but in all cases money had to be appropriated for their construction, and certainly their maintenance. In doing this the Congress acted under the clearest language in the Constitution, and the clearest grant of power; namely, article I, section 8, which gives to the Congress the power to raise and support armies and provide for a navy.

The President, in his veto message, made this very clear when he said:

> Under the Constitution Congress has the power to enact laws to "raise and support" armed forces, and only Congress can provide the necessary appropriations for maintaining our fighting forces.

When the President signs into law an authorization bill, and later an appropriations bill, according to the Attorney General, he is bound to execute that law. But in the execution of the law the Congress obviously contemplates that the base it has authorized is required and will remain open. Therefore, whether or not a base should be closed might well be a question for the Congress to determine.

When a base is abandoned, without any further action on the part of the Congress, is it not possible that the President is not executing the laws of the Nation? Is it not possible to conclude that the President has seen fit not to do something that the Congress has required by law? When a base is closed, is this faithful execution of the laws? Or, could it be said that the closing of these bases is a failure to execute the laws of the land?

If the President unilaterally entered into an agreement to disarm, and the Secretary of Defense closed all of our military bases, is the Congress powerless? How does the Congress fulfill its responsibility to "raise and support armies and provide for a navy" if the executive branch of Government can unilaterally negate this responsibility?

Perhaps there is a difference between closing some bases and closing all bases. But frankly, I do not know what that difference is.

This concerns me, because at some future date a President or a Secretary of Defense may decide to close more than just a few bases at one time. He might decide to close all military bases, and in this way, bring about almost complete disarmament.

I raise this point because we have not solved the problem, although I do think that we are closer to the solution than ever before.

I say this because the President's message stated that "a reasonable reporting provision consistent with the legislative powers of the Congress" would not warrant a veto.

And here is what the new language of section 611 now provides:

> That no camp, post, station, base, yard or other installation under the authority of the Department of Defense shall be closed or abandoned until 30 days from the date upon which a full report of the facts, including the justification for the proposed action, is submitted to the Armed Services Committees of the House and Senate.

The Presidential veto message and the new language recognize several principles which have not heretofore been explicitly spelled out. First, a reporting procedure on base closures is now required for the first time as a matter of law. Second, the reports will be made to the Armed Services Committees as agents of their respective bodies on military matters. Third, the reports will contain not only an announcement, but also—and I think this is the key to the entire problem—"a full report of the facts, including the justification for such proposed action." This will enable the committees to study, to analyze and, if necessary, to hold hearings on the reasons for such action.

Frankly, the time period, in my opinion, is relatively unimportant as I do not know of any closure action which has been even substantially commenced within 6 months after the announcement.

But beyond this, I can assure the membership of this House that there will be no further base closure announcements that you will read about in the newspapers before you have been advised that these base closures are to take place.

I have been given assurance from the highest source in our Government that from here on out you will receive advance notice and not be taken by surprise as many of us were in the past.

But beyond that, we have every reason to believe that responsible officials will not only notify the committees and the individual members in the event of any future base closures, but also that such announcements will not take place when the Congress is not in session.

I have been urged by some to take the position that there should be no military construction authorization bill. I personally feel that we must have this authorization bill because of our problems abroad, and the problems in our own land. I am convinced that the military might of this Nation is the most important single item of concern to the American people.

Just remember, there are 1,299 separate items in this bill, affecting vital military bases all over the world.

Under the circumstances, Mr. Speaker, I feel that it would be wise for us to adopt the modified section we propose.

I think you will all agree that the most important elements involved in this particular dispute is the question of whether or not the Congress should be considered a partner in the matter of national security. The President, in his veto message, makes this clear—the Congress is a partner in national security matters.

And the message also makes clear that the President has no objection to a reporting procedure. It is unfortunate that such a reporting procedure was not in effect last November when so many bases were closed without so much as a how-do-you-do to Members of Congress, who have the responsibility, just as the President has indicated in his veto message, to provide for our national security.

I hope, now, that the Secretary of Defense is also equally convinced that the Congress is a partner, and that from here on out there will be no need for stronger language to maintain this position.

Perhaps this veto message and the whole issue involved here has eliminated a great area of uncertainty that has existed between the executive and legislative branches with respect to the position of the Congress and the position of the Secretary of Defense in the national security area.

We, after all, respond to the American people. We are responsible to them. The Members of the House must answer to them every 2 years. This is a government of the people and the only way that the people can be informed is to be told. And the only way that Members of the House can be told of what the wishes of the people are is to answer to their will at the end of each 2 years.

Now, Mr. Chairman, I do not propose to conclude my remarks on this measure by saying that the House Committee on Armed Services has won a victory, nor do I agree that we have met with a defeat.

I think we have established certain principles. They were principles worth fighting for. The principle was one of partnership. The principle was one of recognition of article I, section 8, of the Constitution. The principle was one of separation of powers.

So, in a way, three principles have been established by this veto message, and we have responded, I believe, in a responsible manner. We could, of course, have made it a far greater issue. We chose not to take that path because we are dealing with the national security. And if there is ever an area in which there must be a partnership, it is in the area of national security.

In his message, the President said:

> The legislative and executive branches share responsibility for the security of the Nation and each has a vital role to play.

As I interpret that portion of the veto message, the President is saying that we are partners in the matters involving our national security.

The President, in the veto message, also said:

> Also a President, under his oath of office, must be concerned about the cumulative erosion of Executive power by legislation such as section 611 of this bill.

The President went on to say:

> The power of the Congress in which I served for nearly 2 dozen years is not served by assuming Exective functions. The need for wise legislative action and the dependency of our welfare upon it was never greater. The legislative burdens of the Congress were never greater. Not only the separation of powers fail when Congress impairs Executive function, but the sheer inability of the Congress to deal meaningfully with the multitudinous details of execution of its laws weakens government.

But on the other hand, Mr. Speaker, I think the Congress must also be concerned about the cumulative erosion of the legislative powers of the Congress, frequently based upon the assumption that Congress is unable to deal meaningfully with the multitudinous details of

execution of its laws. I do not think Congress is so devoid of ability and capability that it cannot, on occasion, go into details that vitally affect the welfare of the Nation.

And, frankly, I grow tired of the implication that Congress really only has the power to appropriate funds.

I also weary of the "execution" of laws philosophy. To execute means to carry out—and I prefer to think that means carry out the will of the people expressed by their representatives in Congress and not the interpretation of Presidential appointees.

So, I suggest that there are times when the Congress must be jealous of its prerogatives and must also guard against the cumulative erosion of its powers. Perhaps we have vested too much power, not so much in the President himself, but in the executive branch of Government.

We must always be jealous at all times of the separation-of-powers concept. The theory of checks and balances in many ways is far more important than any single provision of the Constitution.

The whole concept of separation of powers, the whole theory of checks and balances, must be preserved if we are to remain a free people.

I could not agree more with those words of James Madison, who said in 1789:

> If there is a principle in our Constitution, indeed in any free constitution, more sacred than another, it is just that which separates the legislative, executive, and judicial power.

I concur 100 percent with that observation and I believe I can say that the entire membership of the Committee on Armed Services concurs in that observation.

The question is, How do we maintain this separation of powers? How does the Congress meet its responsibility to provide for a navy and raise and support armies if, after we have exercised our responsibility and the power vested in us by the Constitution, an Executive fails to comply with the law, or fails to comply with the wishes of the Congress in this manner?

Furthermore, how can the Congress be fully conversant in matters of national security if bases which we have authorized and approved, for which funds have been appropriated, are closed without the Congress having any prior knowledge of these matters?

There is wisdom in a multitude of advice and I do not believe that the Congress is so devoid of intelligence that it, too, cannot offer advice on occasion that might be helpful to the executive branch of Government when they come to making decisions of this nature.

So in conclusion, Mr. Speaker, let me repeat that, while we do not claim a victory, we do not admit nor imply a defeat, because in the long run what we are trying to establish, what we have said since last January, is that the Congress must be a partner in national security matters above all other matters.

I think that principle has been established. I think the President recognizes it. I firmly believe that our operations in the future will go much more smoothly than they have in the past.

I am perfectly willing to recommend the language contained in section 611 of the new bill. It is a step in the right direction.

I think we will be informed hereafter. I think Members will be informed hereafter when something is going to happen in their own area and I think that under these circumstances we can accept the bill that is now before the House, not with the idea that we have entered into a strategic withdrawal, but with the conviction that we have entered into a new era of understanding.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman.

Mr. O'HARA of Illinois. I would like to ask the chairman, for whom I have the profoundest respect, one question. Is there in this bill authorization for the expenditure of 1 additional cent other than already authorized for moving the headquarters of the 5th Army from my district?

Mr. RIVERS of South Carolina. This bill contains the same provisions that were in the bill which the gentleman voted for and which passed the House unanimously.

Mr. O'HARA of Illinois. While I may have been misinformed, and that is possible, I have been told that there is a provision tucked away in the bill for building some new sewerage out at Fort Sheridan, some million or two dollars of new sewerage, all to accommodate the 5th Army headquarters. I would feel easier in my mind, as would my constituents, if assured that such is not the case.

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

Mr. RIVERS of South Carolina. I yield to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. There are no additional funds in this particular authorization bill for the purpose for which the gentleman from Illinois stated.

Mr. O'HARA of Illinois. I thank my colleague. I shall vote for the bill with the greatest enthusiasm.

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. HÉBERT] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. HÉBERT. Mr. Speaker, I rise in support of the new military construction authorization bill for fiscal year 1966, H.R. 10775, as reported by the Committee on Armed Services.

At the outset, I wish also to state categorically, and without equivocation, my complete endorsement and support of the position taken by my chairman, the Honorable L. MENDEL RIVERS, on this revised bill.

As we all know, the bill being considered today is, except for section 611, identical with H.R. 8439, the military construction authorization bill previously recommended and passed by the Congress.

Unfortunately, the bill H.R. 8439 was vetoed by the President on the advice and recommendation of his Attorney General, who was of the opinion that the language in section 611 represented a fundamental encroachment by the Congress of powers specifically reserved under the Constitution to the executive branch.

Needless to say, I take strong exception to the opinion of the Attorney General that the original provisions of section 611 "are repugnant to the Constitution." However, it is not my purpose to belabor before this body some of the semantics of the legal and constitutional questions involved herein.

These intricate legal and constitutional questions have adequately been reviewed and discussed by my distinguished chairman. I am in complete accord with my chairman's assessment of these legal questions.

It is important, however, that this record clearly reflect the fundamental principles that have precipitated this confrontation between the executive and legislative branches of our Government. In order to do this we should review some of the historical considerations and events which required the Congress to take the aggressive and positive steps now identified by our Attorney General as "repugnant" to the Constitution.

In my judgment, and I am sure one shared by the vast majority of the Members of Congress, the issue involved here today is nothing more, nor less, than the Congress effectively effecting its constitutional responsibility to act as a full-fledged partner with the President of the United States to insure the development and continued maintenance of a military capability adequate to guarantee our present and future national security.

Under the provisions of the Constitution, we are all aware that the Congress has the sole authority to raise and maintain our Armed Forces. This is crystal clear. Yet at the same time the Constitution designates the President as "Commander in Chief" of these Armed Forces, with the clear constitutional responsibility for the operation of these forces.

Our Founding Fathers, in spelling out these positive areas of responsibility, recognized full well that neither the Congress nor the Executive acting as Commander in Chief could effectively discharge these individual and separate responsibilities without the full and complete support of the other. It therefore not only impliedly, but very clearly, created a situation which demanded the development of a full-fledged working partnership to insure that both partners could act promptly and effectively in coordinating, and I emphasize the word "coordinating," their common effort to provide for the national defense.

Our Nation has indeed been fortunate. This working relationship and partnership between the executive and legislative branches of our Government has proven effective and responsive to our national security requirements. However, as is the case in any partnership, each of the partners must remain continually vigilant to the understandable

desire of the other to consciously or unconsciously arrogate to himself some of the responsibilities and powers properly to be shared with the other partner.

For almost 5 years the Congress, and more specifically the Committees on Armed Services of the House and Senate, have slowly but surely been forced into the role of a silent partner—a partner whose duties and responsibilities were becoming a mere formality with acquiescence taken for granted and assumed by the other partner.

The Executive, and in this instance the Department of Defense, has attempted to justify this tactic on the theory that the Congress is, in view of modern technology and related complications, simply incapable of dealing meaningfully with the profound intricacies of national defense. Consequently, like "big brother," he has "reluctantly" assumed the prerogatives of Congress.

I do not wish to be cast in the role of a prophet, but it should be evident to even the dullest student of constitutional history, that if the Congress permitted this condition to continue it would inevitably have completely forfeited its ability to discharge its constitutional responsibilities.

In other words, the Congress was forced to act positively, aggressively, and purposefully to remind the Executive and, in this instance, the Department of Defense, that it intends to fully discharge its constitutional responsibilities.

I am proud to be a member of the Committee on Armed Services. That committee, within the past few months, has reflected the determination of the Congress to defy and to reject any further encroachment by the Executive on its legislative and constitutional responsibilities.

The record of the Committee on Armed Services during these past 9 months gives eloquent testimony to the success of the Congress in this regard. For example, the Congress and the Committee on Armed Services has demonstrated its ability and determination to provide an equitable pay increase for the dedicated men and women in our armed services. This achievement, in spite of the opposition of the Department of Defense, is a matter of historical record.

Again, the Secretary of Defense, without consulting the Congress, announced to the country his intention to eliminate the Army Reserve. This, without a "by your leave" to the Congress.

Congress, the heretofore silent partner in the defense effort, replied with a resounding and unequivocal "No," despite the Department's abortive efforts to justify this action by offering the public vague assurances of new efficiencies and new economies.

Our military bases and installations represent the very heart of our military capability. A change in their composition, location, or level of activity inevitably and directly affects our military readiness and capability.

As a partner in our defense effort, the Congress, and notably the committee which has been given jurisdiction and responsibility over defense matters, the Committee on Armed Services, had throughout the history of our Republic kept itself intimately familiar and aware of changes in our military base complex.

Unfortunately, during the past 4 or 5 years, there has been a positive diminution in the information provided Congress in respect to proposed changes in our military installations. Obviously, the Congress has been kept informed as to proposed increases in the size and tempo of activity at military installations through the demands of the legislative and appropriation process which "required" the Executive to seek both the authority and the funds with which to effect such changes. On the other hand, the Executive has not similarly been forced by the legislative and appropriation processes to inform the Congress of reductions or closures of military bases—and he has therefore simply ignored the Congress in this regard.

Consequently, despite the constitutional requirement that defense matters be handled by the partnership envisioned by our constitutional founders Members of Congress had been reduced to the humiliating position of consulting our news media to obtain information concerning Department of Defense decisions to reduce or eliminate military bases. As a matter of fact, many constituents were apprised of these defense actions even before Members of Congress were given even the sketchiest details.

It is noteworthy that this appalling situation developed slowly and subtly through the gradual but positive drying up of information flowing from the executive branch to its defense partner, the Congress. Thank God, that silent partner has now awakened from his trusting and ill-advised sleep. His reaction was positively and unequivocally given in section 611 of H.R. 8439. The fact that this action was given the overwhelming approval of both bodies should erase any doubt as to the temper of the Congress on this subject.

It is significant that the Executive has now gotten the message.

The remarkable veto message with which the President regretfully returned H.R. 8439 to the Congress reflects the President's assurance that he will, once again, accept his obligation to fully inform his defense partner, the Congress, of proposed changes affecting our military installations.

The revised section 611 as contained in this bill, H.R. 10775, reflects a reporting procedure which requires that the Congress be provided a full report of the facts justifying the proposed action prior to the time such decision is executed.

However, more importantly, this statutory language is much broader in its implications than is evident in this required reporting procedure. The language marks, in my opinion, the resumption of a full-fledged partnership which had been permitted to atrophy for lack of use. It symbolizes, I believe, an honest effort on the part of both the legislative and executive branches to return to the former working partnership envisioned by our constitutional founders.

As an American, I am proud and happy to have been a party to this practical demonstration of the operation of our system of political checks and balances—a system which has no peer among all the governments on earth.

This political system of checks and balances insures that countless future generations of Americans will also enjoy the fruits of genuine freedom provided that we, and they, as Americans continue always to remain vigilant and jealous of our constitutional prerogatives.

It is for these reasons that I believe we have achieved our objective and won our fight. Let us accept the olive branch of peace offered by our President in his veto message and permit him an opportunity to work in harmony with the Congress.

I, therefore, ask every Member to support this legislation.

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

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

There was no objection.

Mr. HARDY. Mr. Speaker, the consideration by the House today of the military construction authorization bill for fiscal year 1966 culminates 9 months of hard labor. Twice before, this session, a similar bill has come before you—once when the House passed the military construction authorization bill, and again when it considered the conference report. And after the bill passed both the House and the Senate without a dissenting vote, the President saw fit to veto it as he claimed it was an unwarranted invasion by the Congress on the responsibilities of the President.

The very question of the rights and responsibilities of the President vis-a-vis the rights and responsibilities of the Congress is as old as our established Government. The questions have not been solved during our 178 years of existence and they probably will not be solved completely as long as we continue to exist under our present form of government.

In the past, we generally have been able to work out our problems with the executive branch through mutual accommodation—that is, without the necessity of writing specific restraints into the law. Thus, we have been able to avoid a head-on confrontation on the constitutional issues. And I think no real purpose is served by having such a confrontation. Really, all it proves is that, in certain periods in history, certain Presidents zealously and jealously guard their power, or try to expand on their power more than other Presidents. It seems that any President can secure, from his appointed Attorney General, an opinion that any provision providing for any form of legislative oversight is an unwarranted invasion of the power of the Executive. I agree with others who feel that we ought to have the equivalent of an Attorney General to serve Congress in the same way.

There are nearly 40 laws on the books which give to Congress the right to negate an administrative action. The prin-

ciple of legislative review of executive action already having been established, there is really little to gain by discussing the President's objection to the use of that device in this instance.

But, in agreeing to accept the compromise as new language contained in section 611, I want to make clear the reason for including a provision in the military construction authorization bill providing for congressional review of base closures in the first instance.

Until 1961, I cannot recall any instances where the Armed Services Committee was not consulted or taken into the confidence of the officials in the Pentagon on matters of such import prior to the time of decisionmaking and before public announcement.

I regret to say that this pattern has been altered during the last few years. There are many other examples besides the announcement on base closures and the Reserve merger. But these two were sort of like the straws that broke the camel's back. It was time that the Congress put an end to the usurpation of its responsibilities—an end to Executive circumvention. That is what brought forth, almost spontaneously, section 611 which provoked the veto.

The new language of section 611 recognizes the principle of congressional review and requires the Secretary of Defense to report not only the facts, but a complete justification for his proposed actions.

In addition, the informal agreement recognizes the right of Congress to be informed prior to the public announcement on any base action and there is reason to believe that no such announcements will be made while the Congress is not in session. This is the better way to accomplish rapport between the Congress and the Executive—much to be desired over fixed legislative language. But such mutual accommodation broke down before; I hope it lasts this time, and thus our exercise in writing this section into the former bill will really have served its purpose.

Perhaps, through mutual accommodation, once again, we can work together. I consider it worthy of an attempt. But, in so doing, I make no admission that the bill which the President vetoed was unconstitutional. In fact, in my layman's view it is clearly constitutional; and it will remain constitutional until properly ruled otherwise by the courts, opinions of the Attorney General to the contrary notwithstanding. And I further remind this House, and the executive branch as well, that it will not be many months before we consider another military construction authorization bill. Whether or not our objectives have been accomplished through these exercises will be shown in the attitudes and the degree of cooperation displayed during the next several months. I hope we have not failed in our efforts. I hope we shall not again find it necessary to seek respect to our constitutional prerogatives by writing rigid legislation.

For the present, I support the new bill and urge you to do likewise.

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

Mr. Speaker, since many Members on my side of the aisle wish to take a portion of the 20 minutes allocated to our side, I shall take only 5 minutes of that time.

Mr. Speaker, it was only after considerable thought that I came to the conclusion that I must subscribe to the substitute language in section 611 of the fiscal year 1966 military construction authorization bill.

My natural impulse was to make every attempt to override the Presidential veto message.

My concern at the beginning of this year, as it has been for the last several Congresses, was the constant diminution of the power of the Congress and of the committees of Congress by the executive branch of the Government. In 1962, the distinguished gentleman from Virginia [Mr. HARDY] and I submitted a report to the Congress entitled a "Report of the Special Subcommittee on Defense Agencies." The final sentence of that report stated:

> We can only conclude that the Congress has lost control of the organization of the Department (of Defense) and cannot carry out its responsibility unless we amend the National Security Act.

Hence, the President's veto message, stressing as it has the alleged "cumulative erosion of the executive power," could hardly be seriously entertained by those of us who have observed the constant diminution of legislative authority.

I believed then that if the Congress had the responsibility to maintain and support the armed services as provided in the Constitution, it becomes an almost impossible task if another branch of the Government can cause them to be disintegrated. I still maintain this belief.

So, at the time we included section 608, and later, at the time we accepted the conference report on section 611, I believed we were within our constitutional rights, and I thought it was absolutely essential that we exercise this power.

Frankly, I was surprised that the President vetoed this bill because, neither the Constitution nor precedent suggested it. I am advised that the President will accept the new section 611 on which we act today, and which provides for a 30-day notice of closing and yet termed as unconstitutional a 120-day requirement. In addition, I am told the President has agreed not to close any base when Congress is not in session. This could mean a delay of over 120 days. So to suggest that "times do not permit it" when we write the language and still find it is perfectly proper when he verbally condones it, somewhat mystifies me.

Section 611, really was undemanding language compared to section 608 when it passed the House. Under that provision the House could veto the proposed action by the executive branch. Section 611 gave no such authority. For all intents and purposes it carried no legislative veto authority but carried only a reporting responsibility by the Secretary of Defense. Who will challenge the fact that a veto authority is by far stronger? Yet, since 1941, over 40 bills carrying legislative veto provisions have been enacted into law with the signature of the President.

Some statutes requiring executive actions to lie before Congress are as follows:

Executive reorganization: Title 5, United States Code, section 133z requires reorganization plans to lie before Congress for 60 days while Congress is in session, but a resolution of disapproval of either House can nullify the plan.

Defense reorganization: Title 10, United States Code, section 125, requires the transfer, reassignment, consolidation, or abolition of a function, power, or duty of the Department of Defense shall lie before Congress for 30 days while Congress is in session, but a resolution by either Committee on Armed Services passed within 30 days and then passed by the respective House within 40 days shall nullify the plan.

NASA organization: Title 42, United States Code, section 2453, requires the plan for the transfer of NACA to NASA to lie before the Congress for 60 days without the adoption by either House of a resolution of disapproval.

NASA authorizations: The NASA authorization acts permit the Administrator to utilize NASA funds for certain new projects provided NASA gives 30 days' notice to each space committee and it receives an approval from each committee.

NASA appropriations: No NASA funds are to be transferred to any project previously rejected by either House or any committee of the Congress. No NASA funds are to be used in any joint lunar landing program without the consent of Congress.

Atomic Energy Act: No special military materials or information may be passed to another country—section 91c and 144b and c—unless the proposed transfer lies before Congress for 60 days while Congress is in session and Congress does not pass a concurrent resolution of disapproval.

Any new determination of material as special nuclear material—section 51—as source material—section 61; any new guaranteed price for special nuclear materials—section 58; any distribution of special nuclear material abroad—section 54; any distribution of source materials abroad—section 64; any contract for electric utility services—section 164—must lie before the Joint Committee on Atomic Energy for 30 days while Congress is in session and the Joint Committee can waive the requirements of the 30-day period.

AEC authorizations: Some of the programs established by the AEC authorization acts have also required the program to come back before the Joint Committee for 30 days while Congress is in session, but with the power in the Joint Committee to waive this time period.

In some AEC authorization acts, where it seemed likely that the executive branch would not carry out the program authorized, the authorization acts contained mandatory language: Fiscal year 1958, sections 101(b)8, 101(e)14, and

110; fiscal year 1959, sections 110 and 111.

Property disposal: 40 United States Code, section 551 requires the Administrator of the General Services Administration to come into agreement with the Armed Services Committees of the House and the Senate with respect to the disposal of surplus real property from the armed services.

It is interesting to note, too, that the same individual who vetoed the bill this year was a member of the Senate Armed Services Committee when the original bill, as well as the revised bill, was voted on in the Senate and raised no objection to either version when they were presented to the Senate. In fact, both versions passed the Senate by voice vote, and the then Senator Lyndon B. Johnson was present in the Senate on both occasions and no objection was raised.

But I suppose his change of heart as to what is reasonable has been determined by a change of address.

I want to be frank and say that I would have exercised any authority which I have to help override the President if the language of section 608 had been retained in conference. That was indeed a matter of principle. However, the cold hard facts of life are that the Senate just would not agree to the House position. In fact, it was reluctant to go as far as we did in section 611 which emerged from conference. There was a good deal of principle involved in section 608 but 611 became but a reporting duty of the Secretary of Defense. The new 611 on which we act today, and to which I understand the President has agreed, calls for similar reporting except it will now be done 30 days before the closing of a base instead of 120 days. Hence, we have accomplished the concept of prior notification and this in harmony with the conference report. It is this that makes me constantly wonder why the President vetoed the bill.

The Presidential veto of H.R. 8439 has caused me to reexamine the role of Congress in connection with the Department of Defense and especially in connection with military bases.

The only provision that the President found not to his liking was the one which required reports of base closings to be submitted to Congress between January 1 and April 30 of each year and to lie before the Congress for 120 days while Congress was in session before it could become effective. This provision, however, did not apply to the movement of troops and equipment for tactical purposes, or to bases with less than 250 personnel.

The President's reasons for the veto are:

> By the Constitution, the executive power is vested in the President. The President is Commander in Chief of the Armed Forces. The President cannot sign into law a bill which substantially inhibits him from performing his duty. He cannot sign into law a measure which deprives him of power for 8 months of the year even to propose a reduction of mission or the closing of any military installation, and which prohibits him from closing, abandoning, or substantially reducing in mission any military facility in the country for what could be a year or more and must be 120 days. The times do not permit it. The Constitution prohibits it.
>
> The limitations upon the Commander in Chief and the executive branch of the Government here sought to be imposed are a clear violation of the separation of powers. The Attorney General has so advised me. The Congress enacts the laws. Their execution must be left to the President. The President must be free, if the need arises, to reduce the mission at any military installation in the country if and when such becomes necessary.

Let us return to the Constitution for our thinking. It is too little noticed that the very first section of the very first article of the Constitution vests "all legislative powers herein granted in a Congress of the United States, which shall consist of a Senate and a House of Representatives." The right and duty and power to make laws then belongs to the Congress. This is clear from the meaning of the words themselves and from the development of this clause in the Constitutional Debates of 1787.

After clearly delineating the powers of the Congress in article I, the Constitution goes on in article II to set forth:

> The executive power shall be vested in a President of the United States of America.

This is followed in section 3 of article II with "he shall take care that the laws be faithfully executed." Hence the primary function of the President is to execute faithfully the laws as Congress enacts them. In the steel seizure cases, the Supreme Court in 1952 limited the President to just that function. When there was no law of Congress to execute, the President had no power to seize the steel companies. The President is to execute the laws of Congress, hence the enacting power of Congress is set forth first in the Constitution, and the executing powers second.

The areas in which Congress has the power to legislate are manifold, but it is worthwhile to examine them specifically in the light of the present problem. Section 8 of article I says:

> The Congress shall have Power * * *
>
> To declare War * * *
>
> To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than 2 Years;
>
> To provide and maintain a Navy;
>
> To make Rules for the Government and Regulation of the land and naval Forces;
>
> To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections, and repel Invasions;
>
> To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;
>
> To exercise Legislation in all Cases whatsoever * * * and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings.

In addition, article 4, section 3 gives Congress the general "Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

From all of the above provisions, the Founding Fathers made sure that the Congress had about as full legislative powers over the military as it was possible to set down in writing. Note especially that they were so anxious to keep the powers in the hands of the Congress that they provided that the appropriations for the armies could not be for more than 2 years.

But the powers of Congress over military installations are even more complete. Where the bases are purchased with the consent of the legislature of the State, the Congress has the power "to exercise exclusive legislation in all cases whatsoever as to the erection of forts, magazines, arsenals, dockyards, and other needful buildings." Furthermore, even if the State legislatures have not consented, the Congress in article 4, section 3, has the power "to make all needful rules and regulations respecting the property belonging to the United States." While these two powers were added in the constitutional debates without any real discussion, and have not been the subject of extensive litigation, they give the Congress full legislative authority over military installations on their face.

Under these various legislative powers, the Congress has, over a period of years, enacted various pieces of legislation respecting our military installations. There is no one piece of legislation to which any person could point and say that that provides the sole legislative program for any military installation. Until that legislative program is changed by Congress or under a statute of Congress the President is obligated to carry out the legislative program as set forth by Congress.

The President has claimed that his powers as Commander in Chief have been infringed by the legislation as passed by Congress. But his powers as Commander in Chief are subject to the legislation of Congress. He cannot spend more than the Congress allows or have more troops than are allowed by Congress—unless there is some immediate emergency in a war. Yet the President was wrong in calling upon his powers as Commander in Chief in vetoing H.R. 8439 since it clearly allows him to move troops and equipment for tactical purposes—section 611(b)(1).

The President maintains that he is interested in economy. So is the Congress. But the Congress wants to know how the economy is being applied. There are statutes on the books with respect to economy, and these should be complied with.

As a general statute, title 31 of the United States Code, section 18 requires the Bureau of the Budget, when directed by the President to study what changes may be needed—with a view of securing greater economy and efficiency in the conduct of the public service—in the executive department. Yet the reports of those studies are to be transmitted to the Congress in the discretion of the President with his recommendations thereon.

In other words the President is not authorized to put the plans into effect without further Congressional action.

In the matter of general organization of the executive branch, title 5, section 133z of the United States Code permits the President to reorganize the executive departments and agencies, from time to time within specified limits, but these reorganizations must come up and lie before Congress for 60 calendar days while Congress is in session before they can become effective. The reorganization plan may be defeated by the passage by either House of a resolution of disapproval.

In 1958 there was a special statute enacted in order to allow the Department of Defense to make some reorganizations. This statute, now section 125, of title 10 of the United States Code, permits the Secretary of Defense to streamline or economize the Department of Defense but he may not substantially transfer, reassign, consolidate, or abolish a function, power, or duty vested in the Department of Defense unless the move shall have been reported to the Committees on Armed Services of the Senate and the House of Representatives for a period of 30 days while Congress is in session. If during that time either committee should report a resolution of disapproval of a transfer of a major combatant role assigned to one of the Armed Forces which also says that the move would tend to impair the defense of the United States, then the effective date is suspended until either House of Congress adopts that resolution. In the case of such adoption by either house, then the plan fails.

Now it happens that on November 18, the Secretary of Defense made an announcement to the press that he was going to shut down 95 military installations. This announcement did not come to the Congress in accordance with the above provision of law. Nor do we know of any finding by the President under section 125(b) that these closings were necessary because of hostilities or the threat of hostilities. Yet the closing of 95 military installations which had been set up and programed by Congress could have had a very serious tendency to "impair the defense of the United States." The Congress was given no opportunity to pass on the matter in accordance with section 125(a) of title 10, nor was a Presidential finding under section 125(b) forwarded.

Some have suggested that there may be found adequate authority for the economies in a section of the Budget and Accounting Act of 1921, as amended—section 665(c) of title 31 of the United States Code. In subsection (2) an agency officer is permitted to apportion the appropriation and make savings whenever "changes in requirements, greater efficiency of operations or other developments" might permit.

Yet, by the very terms of this section, the recommendations for the recession of any appropriation arising out of these possible economies can become effective only when treated like any "estimate for appropriations." This means that the recession can become effective only when legislation has authorized the recession.

This method of operation has been in effect with the Atomic Energy Commission for some time now. Under section 261 of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has been required since 1954 to come up to the Joint Committee on Atomic Energy for varying authorizations. At first these authorizations merely related, as in H.R. 8439, to construction for atomic energy programs. Since 1954 this section has gone through various stages of enlargement until now all operating and construction budgets of the Atomic Energy Commission require prior authorizing legislation. Starting with the authorization act of fiscal year 1958, and continuing annually thereafter, the Atomic Energy Commission has specifically requested the recession of those items previously authorized in earlier authorizing legislation and which the AEC no longer believes is needed or needed to the extent authorized.

If the President is not required to bring back to Congress for congressional approval the deletion of some program previously approved by Congress, the President is in effect gathering unto himself an item veto, which has never been allowed up to this point. The only veto permitted the President is that permitted by article I, section 7 which permits him to return a bill to the Congress with his objections thereto, as he has done with H.R. 8439. There is no line veto or item veto permitted under this section of the Constitution. Yet this is exactly the power the President is trying to gather unto himself in the name of economy.

In 1926 the Supreme Court ruled that the President could drop an officer of the executive department who had been appointed by and with the advice and consent of two-thirds of the Senate without asking for Senate approval of the removal. In this case the Supreme Court ruled that the appointment of the official was initially an Executive act and therefore the removal was solely an Executive act. Applying the identical logic, the establishment of a legislative program by the Congress is a legislative act, even though the President has to approve the legislation. It is, therefore, not a Presidential power to change the legislative program in any way without further congressional approval given either specifically or generally.

Out of all of this, there appears to me to be but one inescapable conclusion. The entire legislative aspects of the Armed Forces now must be revised so that the legislative intent of the Congress is always clear, and the proper steps are allowed to permit what flexibility should be permitted the executive department and the conditions for that flexibility.

In closing I would note that I have had to chase one section after another throughout the United States Code. It has been almost 10 years since the title on Armed Forces, title 10 of the United States Code, has been revised—and even then the task was more of a legal rewriting than an overall study of the substantive provisions.

Until that reexamination of the United States Code, I recommend the passage of the new version of H.R. 8439.

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

Mr. BATES. Mr. Speaker, I yield 6 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, I voted for this bill in committee, and I shall vote for it today. I urge you to support it.

But I wish it distinctly understood my support of the bill now before us is not to be construed as expressing my concurrence in the President's veto of the measure we originally sent him for approval. Nothing is set forth in the veto message that we did not fully consider in committee, on the floor, and subsequently in conference. I do not believe any single provision of the entire bill was more thoroughly considered than section 611, relating to the closing of military installations.

There is no desire on my part, nor on the part of any one of us, to encroach upon the duties and responsibilities of the President as Chief Executive nor as Commander in Chief. In drafting section 611 we were merely asserting our constitutional prerogative to determine the nature and size of our Armed Forces.

We quite agree with President Johnson that "one of the great principles of the American constitutional system" is "the separation of powers between the legislative and executive branches."

But, Mr. Speaker, I do not agree with the statement embodied in his veto message that "the responsibility of each is distinct." On the contrary, in matters of national defense the role of the Congress and the role of the President are not only coordinate but interlocking.

Section 611 gives recognition to this all-important fact. It is sophistry to contend that there is a rigid constitutional line between the power of Congress to raise and support our Armed Forces and the power of the President as Commander in Chief. He can command only that which we in Congress provide. Surely the President does not believe that he should command the Congress as well as the operations of our Armed Forces. There is, of course, no denying that this 89th Congress has been as obedient to his recommendations as if they were commands.

It is sophistry to claim that the Congress has the power to authorize and provide funds for the construction and maintenance of military installations but should have no voice whatever in their termination, that this is a matter to be left solely in the discretion of the President and his Secretary of Defense.

By section 611 we were not attempting to assume any Executive functions. We were merely seeking to coordinate our respective functions, that the Congress and the President may work together and not at cross-purposes for the common objective of having a sound, well-balanced national defense.

Time and again—all too often, I might say—the Congress has delegated legislative authority to the Executive. Time and again—all too often—the Secretary of Defense has taken action contrary to the expressed will of the Congress.

This time we asked the President to share with the Congress an executive function that interlocks with our constitutional legislative function. He refused. He emphasized in his veto message that his role is distinct from ours. He ends his message with a quotation from James Madison as to the sacredness of the separation of the legislative, executive, and judicial powers.

I do not deny the sacredness of the principle, Mr. Speaker. But if this principle is so sacred to the President, and if the separation is so distinct and rigid as he contends in the veto message, is it not then fallacious and inconsistent, to say the least, for the President to intervene as he has in the legislative processes? Is it not a violation of this very principle he holds so sacred for President Johnson to apply the pressures he has applied to secure the enactment of legislation when he wanted it, in the form he wanted, legislative duties and responsibilities to the contrary notwithstanding?

In the original section 611, which the President vetoed, we asked him to coordinate his constitutional duties and responsibilities with the constitutional duties and responsibilities of the Congress. By his veto he refused our request. He says our duties and responsibilities are distinct and thereby indicates there is no need for such coordination.

Were we to pass the bill over his veto it could possibly be argued with some validity that we were encroaching on the executive powers. It is a constitutional question not subject to adjudication. The revised section as embodied in the bill is nothing more than an assertion of what I conceive to be a basic right of the Congress charged with responsibility under the Constitution for the kind of a defense we shall have.

I am not entirely satisfied with the section as now written. But I am realistic enough to recognize that it is probably the best arrangement that can be made for the present.

Mr. BATES. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. BRAY].

Mr. KEITH. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

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

Mr. KEITH. Mr. Speaker, I rise in support of this legislation and in particular of the amendment which I understand is contained in the bill now before the House. The fact that the language that was in the original is to be reinstated in the present proposal will be helpful to Woods Hole Oceanographic Institute. At the same time I believe the bill will still accomplish the objectives of the Congress insofar as the Aerospace industry is concerned.

Mr. BRAY. Mr. Speaker, I rise to speak on H.R. 10775 that deals with military construction which the President vetoed a few days ago. However, I wish to restrict my remarks to section 611 of this bill which has to do with the closing of military bases and is the only section to which President Johnson objected in his veto of the bill.

I was very disappointed that the President vetoed this bill, for I feel that the veto was unwarranted. However, as a judge before whom I practiced as a young lawyer was prone to say, "it is a condition, not a theory that confronts us." The President has vetoed H.R. 8439, and until this condition is resolved no progress will be made toward much-needed construction for our Armed Forces at home and abroad.

Of course in retaliation the Armed Services Committee could have refused to bring this legislation before the House again, or it could have made material changes in the legislation before bringing it back to this body. However, despite our strong disagreement with the President such action on our part would have been unbecomingly petty and would have greatly hampered our national military effort at this most critical time. The committee has instead reached agreement with the President of the restrictive language of base closings. While this new phraseology will not accomplish the goals which we desired, it will tend to cause the Defense Department to study more carefully not only the closings but the expansion of existing and the building of new military bases. While the solution to which we have agreed in section 611 will not be as effective as that which was originally passed by the House, I believe that this new version will probably prevent Secretary McNamara and the Defense Department from the building, expanding and closing of military bases with the short-sighted planning and abandon that has been demonstrated.

Last year on the 19th of November, just 12 days after the 1964 elections and at a time when the Congress was adjourned, Secretary Robert McNamara announced the closing of 95 military bases. The country as a whole was amazed and much disturbed at such a tremendous "sacking" of our valuable installations, especially without warning and general discussion. While neither the area which I represent nor any part of the State of Indiana was greatly affected in these closings, I was at a complete loss in trying to justify the closing of some of these installations. For example, I was appalled at the closing of the Brooklyn Navy Yard. I do want it understood, however, that I do not believe that bases that we do not need should remain open. And I am opposed to building and maintaining bases for political or economic reasons. Our military installations are to serve only one purpose, and that is for the maintenance of the security of the United States.

In order that we may have the best, the most efficient, and the most effective military strength possible, our forefathers wrote into the Constitution a delegation of responsibilities for the defense of our country. Section 8 of article 1 of the Constitution gives to Congress the power to "raise and support armies; to provide and maintain a navy." The Constitution also says that the President of the United States is the Commander in Chief of our Armed Forces. This dual responsibility can work toward a strong, efficient military machine. But there also is the possibility of conflict in such dual workings if either the Executive or legislative branch becomes arrogant, dictatorial, or uncooperative.

The proper utilization of the inherent powers of the executive and legislative branches demands dedicated, wise and unselfish endeavor on the part of each. Each must respect the prerogatives of the other. Cooperation is not a one-way street. It has been most fortunate that generally the dedication of both the executive branch and Congress has prevented conflict of powers from injuring our defense effort. For many years this cooperation has been superior.

I am sorry to say that since Robert McNamara has been Secretary of Defense this cooperation has deteriorated. The previously mentioned closing of 95 bases just after Congress had adjourned without having even hinted at such a move while Congress was still in session is one example of his disregard for Congress.

Another example of his disregard for Congress was shown in the recently proposed merger of the Reserves and the guard which the Secretary of Defense announced while Congress was out of session.

Allow me to cite a further instance. This body will recall that we became concerned over the Defense Department's planned closing of the production of long-distance bombers 3 years ago. Congress for 2 successive years authorized and appropriated funds for the continued procurement of B–52 bombers and also for the development of a new and better long-distance bomber. Secretary McNamara refused to use this money. Production on the B–52 bomber ceased and the production lines were destroyed in 1962. Frankly, we are out of business in the production of long-distance bombers. Every time that you see in the paper of the destruction of a B–52 bomber, that is one lost that cannot be replaced. Almost every day we read about how effective these B–52's are and how badly they are needed in Vietnam. It is becoming more and more clear that Congress was right and McNamara wrong in the disagreement over the production of long-distance bombers. A clearer understanding and cooperation between the executive branch and Congress would have prevented this error.

At this point, I would like to call attention to another situation which, although not directly connected with section 611, does point out the value of close cooperation between the executive and legislative branches in matters of national defense. Almost 13 years ago, the Armed Services Committee created a special Real Estate Subcommittee which, among its many duties, passes on the disposition of military real estate after the Department of Defense has ruled that none of the services have further use for the property. These dispositions include not only military bases

but industrial establishments such as factories that have been constructed by one of the military services. In these hearings regarding the disposal of these industrial properties, it has become apparent that many factories have been constructed by the military that were totally unnecessary. In some instances the taxpayers' money has been squandered and the military strength injured by such shortsighted planning that permits the expansion of installations, and yet, while the carpenters and other builders are still at work, the authorization for closing the base is being asked.

In other cases factories have been built with the taxpayers' money when private industry was producing in its own plants all of the products that were needed. Many other factories have been built on land that the Government did not even own and many have been constructed so that access could only be gained through private property. These dispositions of industrial properties have run into the many hundreds of millions of dollars. While it is often necessary and proper that the Government should at times construct factories to produce military equipment and supplies, it soon became apparent to the committee that the Government's construction of these factories had gotten completely out of hand and at times approached criminal negligence.

On September 7, 1961, Carl Vinson, then chairman of the House Armed Services Committee, wrote to the Department of Defense asking that the Armed Services Committee be informed of any future proposed industrial construction. While there was not any clear agreement on this subject between the Armed Services Committee and the Secretary of Defense, a working arrangement was evolved. I am satisfied that this working agreement is saving a great deal of money and also is adding to our military strength.

There are persons who believe that Congress should only be a rubberstamp for the desires of the executive branch. Not only is such a theory contrary to our Constitution but it would unquestionably injure our military strength. During the time that I have been personally acquainted with Congress, I have found it always as aware, alert, and dedicated to our country's needs as has been the executive branch. Each must fulfill its responsibility with wisdom, dedication, and cooperation. Because we, as Congressmen, are dedicated to the welfare of our country, we have agreed to this revised version of section 611. Let us trust that in the future we will be able to return to the type of cooperation and respect between the executive and legislative branches that did exist for many years.

Mr. ARENDS. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Speaker, since the new section 609 will be offered as a committee amendment, I take this time for the purpose of asking a question of the gentleman from Virginia [Mr. HARDY], the author of the amendment. Will the gentleman be kind enough to explain the reason for reversion to the language of the original House-passed bill instead of the language adopted in conference?

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

Mr. GUBSER. I yield to the gentleman from Virginia.

Mr. HARDY. Mr. Speaker, as I am sure you recall, the investigating subcommittee, of which you are a valuable member, studied in considerable depth certain practices engaged in by the Aerospace Corp. under Air Force contracts. During that investigation, we learned that the Aerospace Corp. had constructed facilities and acquired real estate costing about $22 million, despite the fact that adequate Government-owned facilities were available or could have been made available at a fraction of the costs incurred. The costs of these facilities—including interest on mortgages are being charged to Government contracts.

To stop this, the committee inserted a provision requiring that every contract between the Secretary of the Air Force and the Aerospace Corp. prohibit the construction of any facility or the acquisition of any real property by the Aerospace Corp. unless the construction or acquisition had first been authorized to the Air Force by the Congress.

The Senate previously deleted that provision. At the conference, it was the consensus that this prohibition should be broadened to include contracts with all nonprofit corporations entered into by each of the services. Such broadening language was rewritten by the conferees, and subsequently approved by both the House and the Senate. More recently, however, it appears that the language may be too restrictive, particularly on certain nonprofit organizations which are privately sponsored and which derived much of their capital structure from other than Federal Government sources.

While, I believe, and I think the committee believes that the broader objective is desirable, it seems preferable to limit immediate coverage of the provision to the one corporation. We hope soon to look at the contracts with other nonprofits so that in the bill next year we can take whatever action is needed.

We have reason to believe that the Senate will now accept the language of this amendment.

Mr. GUBSER. Mr. Speaker, I thank the gentleman from Virginia.

Mr. HARDY. Mr. Speaker, I appreciate the gentleman's clearing that point up.

Mr. BATES. Mr. Speaker, I yield the remainder of the time on this side to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, of course, I am in favor of military construction and our hearings, including our past votes, and the separate views in the committee report, are replete without past and present intent re: that portion of the bill. I compliment the chairman of the committee and the ranking minority members of the committee on their statements.

I agree explicitly with the statement of the distinguished gentleman from South Carolina, except perhaps in four instances, plus the overall observation that I have never heard so many speeches in favor of constitutionality and in favor of a position of the House, but they voted otherwise.

I think the record that has been made here today makes well and clear my case for constitutionality, for section 7 versus section 8 of article I of the Constitution. And I wonder whether we as the originating body of the Congress, could do less. I think these speeches, better than I perhaps, explain my position on the prerogatives of the Congress vis-a-vis the executive branch of the Government having been eroded; and the responsibility of the Congress for defense versus frugality in bases, camps, posts, and stations, where U.S. protection and policy of the Armed Forces are concerned.

Finally, as a member of the Special Joint House-Senate Committee on the Organization of the Congress, I am particularly alert to our relations with other Government branches. I do not agree that we will have a second chance. I do not agree that men fail to come and go, and therefore any verbal agreements between them as individuals and us as a body has no standing in the legislative record. I do not agree with the 30-day provision. I do not agree that we are consistent in avoiding the question, of defeat and overriding of the President's veto.

Therefore, Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include first, an emphasized statement of the amendment that I would have preferred over section 611; second, an emphasized statement of the U.S. Constitution as referred to; third, an emphasized statement of the hearings in the committee; and, fourth, the statement that I made at that time and my other remarks as printed herein under the assumption that we would have greater control of it had we not been in favor of the bill and hence not demanded the second, as a privilege your esteemed and able ranking minority member.

The SPEAKER pro tempore. Is there objection to the unanimous consent request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, the House listened to the veto message from the President setting forth his reasons for returning H.R. 8439 without his approval. The sad occasion of the passing of our colleague, the Honorable Clarence Brown, precluded any further comment at that time on the President's action.

It is perhaps encouraging to note that the President, after almost 2 years in office, is now concerned by what he calls "a fundamental encroachment on one of the great principles of the American constitutional system—the separation of powers between the legislative, judicial, and executive branches."

There are some of us here who have long been similarly concerned at the breakdown of our constitutional system, but until now we have received precious little response from the White House, which we regard as the chief promulgator, rather than the victim, of this encroachment.

Let us review this question of "encroachment." The Constitution clearly places responsibility for legislating upon the legislative branch. Yet, few would deny that most of the major bills of the 89th Congress have been written by the White House staff or its 10 Cabinet extensions, and not by any legislative staff. On at least two or three occasions, there has been a brazen admission that the White House wanted a bill passed in a certain form without changing a single comma, as for example in the Federal aid to education bill, when the Senator from Oregon advised his colleagues that the White House wanted the bill passed in exactly the form it cleared the House. Speaking of encroachment of powers, has there ever been a better example of the pot calling the kettle black?

And what about the many reorganization schemes proposed by this administration wherein the constitutional process would be reversed, with the President legislating and the initiative of the Congress limited to a veto authority, usually reserved for the executive branch? The Congress, perhaps derelictly, actually yielded this, in the so-called Reorganization Act of 1949 and the Government Controls and Accounting Act of 1921, as amended. In my opinion it is time we recouped.

The Constitution clearly states "no money shall be drawn from the Treasury, but in consequence of appropriation made by law," yet the administration has consistently used its powers of persuasion to gain support for back-door spending authority, which bypasses the constitutional requirement, or even commits future Congresses, yet to be elected.

So, now, at long last, the President, in his veto of the military construction authorization bill, has, like Rip Van Winkle, awakened from a long sleep, and has taken note of the encroachment by one branch of Government upon the other.

But, he has chosen the wrong example, used the wrong words, and found the wrong party guilty.

"Repugnant" is the word used by the President to describe the collective and unanimous judgment of this House and the whole Congress. Granted that the Congress has no appointed Attorney General to advise it, but it does have a competent professional staff in committee. And, it has many Members whose legal backgrounds compare favorably with the background of any appointed Attorney General in the past 5 years.

The bill which the President vetoed did not require concurrence by the Congress in the closing of any military base. It did require 120 days notification to the House and Senate Armed Services Committees before such action could be taken. Then, if the Congress in its widsom wished to defer any action, it specifically had to enact such legislation into law during consideration of the annual military construction bill. The President seems to regard this as "repugnant", but it was not nearly so repugnant as was the action taken by the executive branch a few months ago when many Members of Congress responsible for all military appropriations had to depend on the news media to learn of base closings of vital concern to them, and to our national defense, and while the Congress was in adjournment.

The Constitution in article 1, section 8, says the Congress shall have the power "to raise and support armies—to provide and maintain a navy—to make rules for the Government and regulation of land and naval forces."

The language in the bill passed by the Congress was nothing more than an exercise of this responsibility under the Constitution. The execution of policy under the bill remained with the executive branch, but Congress merely reserved the historic right to study and review through surveillance and oversight the administrative proposals, and to enact further legislation if it desired.

In the current hearings of the House-Senate Joint Committee on the Organization of the Congress and its relationship to other governmental agencies, I hear much more complaint by witnesses of repute about the loss of legislative perogative than I do encroachment on the executive.

If Congress succumbs to the veto of H.R. 8439, we increase the danger of Executive withholding of appropriations duly authorized by Congress, or capriciously closing bases which this Congress has authorized on the basis that the national security requirements determined by Congress outweigh the alleged economies. War and preparedness are perhaps always wasteful, but traditionally our people expect adequate defense, even though costly.

We may retreat; we may back up; we may "shy away" from a confrontation with one whose political prowess—and use of the "Texas twist"—is so well publicized. But, we will do a far better service to the Nation and to the principle of "equal but separate power," in government; if we uphold our original unanimous and collective judgment and protect the integrity of the legislative branch of government. I say, let us again pass H.R. 8439, over the President's veto.

AMENDMENT BY REPRESENTATIVE HALL, OF MISSOURI

SEC. 611. No camp, post, station, base, yard, or other installation under the authority of the Department of Defense shall be closed or abandoned until after the expiration of sixty days from the date upon which a full report of the facts, including the justification for such proposed action, is submitted by the Secretary of Defense to the Committees on Armed Services of the Senate and House of Representatives, whenever it is not inconsistent with the national interests, such reports shall be submitted prior to April 1 of each year.

(b) This section shall apply only to posts, camps, stations, bases, yards, or other installations that are located in the United States and Puerto Rico and have a total military and civilian complement of more than two hundred and fifty. It shall not apply to any facility used primarily for river and harbor projects or flood control projects.

QUOTE FROM U.S. CONSTITUTION

Article I, section 7: All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; If he approve he shall sign it, but if not approved he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each House respectively. If any bill shall not be returned by the President within 10 days (Sunday excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

STATEMENT

Mr. HALL. Mr. Chairman, I have thought very deeply about this situation ever since I learned Saturday evening, what had happened. I know well the position of the "big seven" on our committee. I have consulted with many of you in our committee. If I might paraphrase the Bard, methinks they protested too much.

I think our image has already been cast in the media and by the power of the Presidential stump (or platform), from which he speaks, of "slinking away from our responsibility."

I early realized and read in the House rules of procedure the facts of the legislative situation, and it was for this reason that yesterday I objected on the floor of the House to the conference committee of the Committee on Appropriations, between the two bodies, for consideration of the differences between the two Houses on the annual military construction appropriation bill; namely, simply that there is no authorizing legislation: The monkey is on the President's back. He vetoed the bill approved by both bodies, per unanimous votes.

We do have three options. They may be embellished one way or the other; namely, first, we can do nothing, until the executive branch of the Government screams for however many items they must have, on the construction list.

Secondly, as you have suggested, we can change one comma, one paragraph, or one section, and this of course makes it a new bill which will come back through the Rules Committee onto the floor of the House, and means capitulation to the veto.

And third, of course, any Member, as a privileged motion, may move to discharge the committee and override the veto.

Frankly, this is not a question of acceptance of anyone's word, including the President's, because they change and this committee goes on forever. It isn't a question of base closure announcements or of partnership with the other branch. It isn't a question of whether the agreement is verbal and acceptable or whether even it is in writing. The question in my opinion is one of the Constitution, the prerogatives of the Congress, and if anything has ever been evident, Mr. Chairman, my long service for 8 months

of this year on the Special Joint House-Senate Committee on the Organization of the Congress has made it apparent that the mood of political science professors, the mood of the Congressmen themselves, and the mood of outside commentators who have appeared in testimony before this committee, is to strengthen the legislative branch, and remove power from the executive and judicial, which has perhaps been unjustly and unconstitutionally seized.

Not least among these questions is the question of the image of our committee and of our chairman. I have early and often told my chairman that I would do anything within equity and justice that I could to support him. I think I have done so. I have even gone further than that in advice as to strategy.

To me the poorest thing that we can do at this time is to step down and not meet this question head on, because it is no longer a question of the constitutionality, gentlemen, is a question of the veto, and what is the Congress going to do about it. It is a question of letting the people of the United States down on the question of what we in our collective wisdom, as elected representatives, feel is an adequate, albeit expensive, defense; or whether we are going to let some appointed official make a decision and override our collective and oftentimes unanimous judgment as to what constitutes adequate defenses and bases for the protection and preparation for defense of this country.

This Congress and our committee has many eminent attorneys among them, and we hire the best of counsel, of which I am proud, but we do not have a corps of appointed officials, including the Attorney General, who read as the Executive wishes whatever inflection into the Constitution and interpretation thereof, and indeed the Supreme Court are collectively appointed officials of the Presidents.

I want to say, Mr. Chairman, that there are some of us here who have long been similarly concerned at the breakdown of our constitutional system to the espoused statement of the President in his veto message. But up until this time, we received precious little response from the White House, which in this instance I regard as the chief promulgator of that breakdown, rather than a victim of this encroachment.

The opening sentence wherein he states he has been advised by his appointed Attorney General that certain provisions of the bill are repugnant to the Constitution is a phrase used by the President to describe the collective and unanimous judgment of this House and the whole Congress. And granted that we have no Attorney General to advise us, we do have competent professional staff, and I notice that none of you who, in the interest of the situation at the time were maintaining an image vis-a-vis respect, have claimed otherwise. And our Members' background compares favorably with the background of the appointed Attorney General.

Mr. Chairman, I feel that we may retreat, we may back up, we may obviate our responsibility and we may shy away from the confrontation with one whose political prowess is well publicized, but we would do a far greater service to the Nation and to the principle of equal but separate powers in Government if we would uphold our original unanimous collective judgment and protect the integrity of the legislative branch of government.

I say therefore let's again pass H.R. 8439 as it is and override the President's veto, and I would like to retain all rights and privileges so to say at any time.

Mr. LEGGETT. Mr. Speaker, I would take this time to compliment the leadership of the Armed Services Committee for first, the pioneering of a clause, section 611, in the military construction bill, bringing the base closure limitation to the floor of the Congress, and passing the same unanimously at the outset over a month ago.

Second, for standing up in conference with the Senate for a slightly modified version and obtaining passage of this limitation by both Houses of Congress.

Third, for commendable restraint in not stampeding to override the President on this very important veto issue but in an effort of strength and conciliation negotiating with both the White House and the Department of Defense on the current language of section 611.

We are arguing now over procedure and semantics.

Nobody doubts that the Congress has plenary authority to overrule the President on any and every base action in the United States to close, open, or modify the same. Argument is now only over how do we do it? By special law or the military construction bill we have the power obviously. The committee has negotiated and obtained the power outside of an act of Congress and is to be commended sincerely for this valuable addition to the working tools of the Congress.

Mr. BOB WILSON. Mr. Speaker, since I opposed the Presidential veto of this bill, I want to call the attention of the House to some of the weird happenings within the Department of Defense as a result of one of the first of the shipyard phaseout programs initiated by Secretary McNamara. Under the guise of economy, administrative and overhead costs resultant from numerous and unnecessary ship deployments are increasing astronomically.

Morale of naval personnel separated from their families as a result of these deployments is disintegrating daily. The peripatetic wanderings of Navy civilian employees are overshadowed only by our space voyagers.

My home district in San Diego presently holds the dubious distinction of having a 7.2 percent unemployment rate. Much of this unemployment is directly traceable to the phaseout of the naval repair facility.

Many former employees of this facility, trusting McNamara's promises, have chosen to remain in the area, and have been entered on supposed reemployment priority lists, in the hope that normal attrition would restore them to Federal service, and a resumption of their interrupted careers.

Most of these former employees are subsisting on unemployment insurance benefits, but, as it happens, when vacancies do occur, we find that many of these people are not selected.

Instead, we find many persons filtering back into San Diego, who have had relocation expenses paid to jobs which they held for just a few months of service. The transfer of these people has not solved their unemployment problem. We also find that many persons from activities undergoing phaseouts thousands of miles from San Diego are being relocated at Government expense to fill more of these vacancies. What has happened to the reemployment priority rights of the San Diego phasees?

If the Secretary of Defense is disrupting our defense mechanism in the name of economy, at least his procedure should be economical.

It is not economical to spend huge sums to relocate mechanics, only to have them leave their jobs within a few months to return to their original areas to fill jobs that could and should be filled by men drawing unemployment benefits, and who hold reemployment priorities.

It is not economical to relocate New Yorkers at Government expense, bringing them to San Diego to fill jobs that are sorely needed by San Diegans who supposedly have reemployment rights.

Secretary McNamara's programs obviously need careful scrutiny. Thus far, these programs in many instances have succeeded only in creating confusion, disrupting homes, increasing Government expense in many areas, and have placed many faithful civil service employees on a dole, while jobs they could fill are being given to persons whose astronomical relocation expenses are Government paid.

Moreover, in San Diego, the phaseout program has detracted from our defense capabilities, and lowered morale, at a time when we need all that we can muster.

These are only some of the practical reasons why I believe Congress should have the authority to approve closings or transfers of military bases. Many of the problems created by presently phased out bases could have been solved if Congress had been consulted.

Mr. RANDALL. Mr. Speaker, I rise in support of H.R. 10775, the revised bill authorizing construction at military installations during fiscal year 1966.

This bill is identical to H.R. 8439 as amended by the conferees and accepted by the House, except that section 611, relating to the closure or abandonment of military installations by the executive branch, has been amended to comply in part with the objections to it expressed by the President in his veto message.

I should like to make a few remarks about the controversial section 611, as amended by our committee.

I supported section 611 in its stronger form, then known as section 608, when this body first debated the old H.R. 8439 on June 10. I remarked then, that more reasonable procedural guidelines ought to be established for consideration of future consolidations of military installations. I stated then, and I will state again today, that it is intolerable for so-called economy decisions to be announced to the press before they are announced to the appropriate committees of Congress or to the individual Members most affected by the decisions. I am still willing to assert that such decisions ought to be justified in detail to the appropriate elected representatives of the people prior to taking effect.

Whether the amended section 611 achieves these objectives is problematic and open to question. The question is whether this body has any real choice today about accepting this compromise or not. Our military organization and our boys in uniform fighting in far flung

corners of the globe, need this bill now. They cannot wait while the Congress decides whether the highest officials of the executive branch mean what they say when we are assured there will be no future debacle of base closings similar to the one witnessed last November. There are 1,299 separate items in this bill, affecting vital military bases all over the world and it is questionable whether we ought to jeopardize them while we use this particular bill to convince the Chief Executive to take the inevitable next steps in increasing his consultation with the Congress on military affairs.

The new section does at least take some tentative first steps toward protecting the constitutional prerogatives of the Congress to raise and support armies and navies and to make rules for the Government and regulation thereof.

Section 611 does require that the executive branch must provide to the Committee on Armed Services a full report of the facts and a full justification for any proposed military base closure. If that obligation is faithfully discharged by the Secretary of Defense, the Congress will be able to carry out more effectively its own obligations to the national defense.

Moreover, the establishment of a 30-day statutory waiting period before execution of such consolidation orders establishes an important precedent which will no doubt affect the degree to which proper consultation with the Congress takes place in the future. No less encouraging are verbal assurances given by this administration that base closures will not be treated as surprises and as deep secrets to be sprung on an unsuspecting Congress with no notice or during periods of adjournment.

Yet we must not forget that these are only first steps, and that the Congress has a long way to go to stop the erosion of its powers by the executive branch. We are a long way from the mandatory consultation procedures established in the original House version of this bill. And we are even further away from exercising the kind of effective oversight of the national defense envisioned by the Founding Fathers.

Thus, while I do not agree with some of my colleagues on the Armed Services Committee who urge the Congress to override the President's veto and stick by the language adopted previously by the conferees, I do believe that unless there is increasing evidence of more extensive cooperation between the Department of Defense and the Congress of the United States the committee should get ready to reconsider our actions at some future time.

September of 1965 is not the time to wage a controversial fight to test the reasons recited in the text of the message of August 21 which returned H.R. 8439 without Presidential approval. As a Congress we have obligations to our men in Vietnam. Even the suggestion that the military construction bill might be long delayed could have the very worse psychological effect upon our fighting men. This long-drawn-out debate could be interpreted by our enemies in southeast Asia as disunity among ourselves. H.R. 10775 gives assurance that hereafter the Congress would be a partner in national security matters. This principle has been established. The entire committee believes the President will recognize that principle. Along with other Members, I believe we will be better informed hereafter. Section 611 of the new bill provides the means to a new and better era of understanding between the committee and the Department of Defense. H.R. 10775 should be passed without one single dissent.

The SPEAKER pro tempore. The question is on the motion of the gentleman from South Carolina that the House suspend the rules and pass the bill H.R. 10775, as amended.

Mr. RIVERS of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 347, nays 0, not voting 85, as follows:

[Roll No. 263]

YEAS—347

Abbitt	Dague	Hamilton
Abernethy	Daniels	Hanley
Adair	Davis, Ga.	Hansen, Idaho
Adams	Davis, Wis.	Hansen, Iowa
Addabbo	Dawson	Hansen, Wash.
Albert	de la Garza	Hardy
Anderson, Ill.	Delaney	Harris
Anderson, Tenn.	Dent	Harsha
	Denton	Harvey, Ind.
Andrews, Glenn	Devine	Harvey, Mich.
	Dickinson	Hathaway
Andrews, N. Dak.	Dingell	Hawkins
	Dole	Hays
Annunzio	Donohue	Hechler
Arends	Dorn	Helstoski
Ashley	Dow	Henderson
Ashmore	Dowdy	Herlong
Aspinall	Downing	Hicks
Ayres	Dulski	Holifield
Baldwin	Duncan, Oreg.	Holland
Bates	Duncan, Tenn.	Horton
Battin	Dyal	Hosmer
Beckworth	Edmondson	Howard
Belcher	Edwards, Calif.	Hull
Bell	Ellsworth	Huot
Bennett	Erlenborn	Ichord
Betts	Evans, Colo.	Irwin
Bingham	Everett	Jarman
Blatnik	Evins, Tenn.	Jennings
Boggs	Fallon	Joelson
Boland	Farbstein	Johnson, Calif.
Bow	Farnsley	Johnson, Okla.
Brademas	Farnum	Johnson, Pa.
Bray	Fascell	Jonas
Brock	Findley	Jones, Ala.
Brooks	Fino	Jones, Mo.
Broomfield	Fisher	Karsten
Brown, Calif.	Flynt	Karth
Broyhill, N.C.	Fogarty	Kastenmeier
Broyhill, Va.	Foley	Keith
Buchanan	Ford, Gerald R.	Kelly
Burke	Ford, William D.	King, Calif.
Burleson		King, N.Y.
Burton, Calif.	Fountain	King, Utah
Burton, Utah	Fraser	Kirwan
Byrne, Pa.	Friedel	Krebs
Byrnes, Wis.	Fulton, Pa.	Kunkel
Cabell	Fuqua	Laird
Cahill	Garmatz	Langen
Callan	Gathings	Latta
Callaway	Gettys	Leggett
Carter	Giaimo	Lennon
Casey	Gibbons	Lipscomb
Cederberg	Gilbert	Long, La.
Celler	Gilligan	Long, Md.
Clancy	Gonzalez	Love
Clark	Green, Oreg.	McClory
Cleveland	Green, Pa.	McCulloch
Cohelan	Greigg	McDade
Collier	Grider	McDowell
Colmer	Griffin	McEwen
Conable	Gross	McFall
Conte	Grover	McGrath
Conyers	Gubser	McVicker
Cooley	Gurney	Machen
Corbett	Hagan, Ga.	Mackay
Cramer	Hagen, Calif.	Mahon
Culver	Haley	Mailliard
Curtin	Hall	Marsh
Daddario	Halleck	Martin, Nebr.
Mathias	Purcell	Stafford
Matsunaga	Quie	Staggers
Matthews	Race	Stalbaum
May	Randall	Stanton
Meeds	Redlin	Steed
Michel	Reid, N.Y.	Stratton
Miller	Reinecke	Stubblefield
Minish	Resnick	Sullivan
Mink	Reuss	Talcott
Minshall	Rhodes, Ariz.	Taylor
Mize	Rhodes, Pa.	Teague, Calif.
Moeller	Rivers, Alaska	Teague, Tex.
Monagan	Rivers, S.C.	Tenzer
Moore	Robison	Thompson, N.J.
Moorhead	Rodino	Thompson, Tex.
Morgan	Rogers, Colo.	Thomson, Wis.
Morris	Rogers, Fla.	Trimble
Morrison	Rogers, Tex.	Tupper
Morse	Ronan	Tuten
Morton	Rooney, N.Y.	Udall
Mosher	Rooney, Pa.	Ullman
Moss	Rosenthal	Utt
Multer	Roudebush	Vigorito
Murphy, Ill.	Roush	Vivian
Murphy, N.Y.	Roybal	Waggonner
Murray	Rumsfeld	Walker, Miss.
Natcher	Satterfield	Walker, N. Mex.
Nedzi	St Germain	Watkins
Nelsen	St. Onge	Watson
O'Brien	Scheuer	Watts
O'Hara, Ill.	Schisler	Weltner
O'Hara, Mich.	Schmidhauser	Whalley
O'Konski	Schneebeli	White, Idaho
Olsen, Mont.	Schweiker	White, Tex.
Olson, Minn.	Scott	Whitener
Ottinger	Secrest	Whitten
Patten	Shipley	Widnall
Pelly	Shriver	Williams
Perkins	Sickles	Willis
Philbin	Sikes	Wilson, Bob
Pickle	Sisk	Wolff
Pike	Skubitz	Wright
Pirnie	Smith, Calif.	Wyatt
Poff	Smith, Iowa	Wydler
Pool	Smith, N.Y.	Yates
Price	Smith, Va.	Young
Pucinski	Springer	Younger

NAYS—0

NOT VOTING—85

Andrews, George W.	Gallagher	Patman
	Goodell	Pepper
Ashbrook	Grabowski	Poage
Bandstra	Gray	Powell
Baring	Griffiths	Quillen
Barrett	Halpern	Reid, Ill.
Berry	Hanna	Reifel
Bolling	Hébert	Roberts
Bolton	Hungate	Roncalio
Bonner	Hutchinson	Roosevelt
Cameron	Jacobs	Rostenkowski
Carey	Kee	Ryan
Chamberlain	Keogh	Saylor
Chelf	Kluczynski	Selden
Clausen, Don H.	Kornegay	Senner
	Landrum	Slack
Clawson, Del	Lindsay	Stephens
Clevenger	McCarthy	Sweeney
Corman	McMillan	Thomas
Craley	Macdonald	Todd
Cunningham	MacGregor	Toll
Curtis	Mackie	Tuck
Derwinski	Madden	Tunney
Diggs	Martin, Ala.	Van Deerlin
Dwyer	Martin, Mass.	Vanik
Edwards, Ala.	Mills	Wilson, Charles H.
Feighan	Nix	
Flood	O'Neal, Ga.	Zablocki
Frelinghuysen	O'Neill, Mass.	
Fulton, Tenn.	Passman	

So (two-thirds having voted in favor thereof) the motion was agreed to.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Martin of Massachusetts.

Mr. Hébert with Mr. Ashbrook.

Mr. Keogh with Mr. Halpern.

Mr. Feighan with Mr. Berry.

Mr. Sweeney with Mr. Hutchinson.

Mr. Toll with Mr. Goodell.

Mr. Roncalio with Mr. Frelinghuysen.

Mr. Rostenkowski with Mrs. Dwyer.

Mr. George W. Andrews with Mr. Edwards of Alabama.

Mr. Fulton of Tennessee with Mr. Chamberlain.

Mrs. Griffiths with Mr. Derwinski.

Mr. Pepper with Mr. Cunningham.

Mr. Todd with Mr. Thomas.

Mr. Slack with Mr. Curtis.
Mr. Roosevelt with Mr. Del Clawson.
Mr. Vanik with Mr. Saylor.
Mr. Charles H. Wilson with Mr. Don H. Clausen.
Mr. Zablocki with Mrs. Bolton.
Mr. Senner with Mr. Reifel.
Mr. Barrett with Mr. Reid of New York.
Mr. Bonner with Mr. Quillen.
Mr. Cameron with Mr. Martin of Alabama.
Mr. Corey with Mr. MacGregor.
Mr. Madden with Mr. Latta.
Mr. Macdonald with Mr. McCarthy.
Mr. Kluczynski with Mr. Kornegay.
Mr. Bandstra with Mr. Nix.
Mr. Chelf with Mr. Corman.
Mr. Craley with Mr. Diggs.
Mr. Flood with Mr. Gallagher.
Mr. Gray with Mr. Grabowski.
Mr. Hanna with Mr. McMillan.
Mr. Mills with Mr. Passman.
Mr. Poage with Mr. Roberts.
Mr. Powell with Mr. Tunney.
Mr. Tuck with Mr. Van Deerlin.
Mr. Ryan with Mr. Jacobs.
Mr. Selden with Mr. Hungate.
Mr. Kee with Mr. Landrum.
Mr. O'Neal of Georgia with Mr. Clevenger.
Mr. Patman with Mr. Tuck.
Mr. Stephens with Mr. Mackie.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to extend their remarks on the bill just passed.

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

There was no objection.

INCREASING RATES OF SERVICE-CONNECTED COMPENSATION FOR VETERANS

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 168) to amend title 38 of the United States Code to provide increases in the rates of disability compensation to reflect the increase in the cost of living from the year 1933, as amended.

The Clerk read as follows:

H.R. 168

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 314 of title 38, United States Code, is amended—

(1) by striking out "$20" in subsection (a) and inserting in lieu thereof "$21";

(2) by striking out "$38" in subsection (b) and inserting in lieu thereof "$40";

(3) by striking out "$58" in subsection (c) and inserting in lieu thereof "$60";

(4) by strking out "$77" in subsection (d) and inserting in lieu thereof "$82";

(5) by striking out "$107" in subsection (e) and inserting in lieu thereof "$113";

(6) by striking out "$128" in subsection (f) and inserting in lieu thereof "$136";

(7) by striking out "$149" in subsection (g) and inserting in lieu thereof "$161";

(8) by striking out "$170" in subsection (h) and inserting in lieu there of "$186";

(9) by striking out "$191" in subsection (i) and inserting in lieu thereof "$209";

(10) by striking out "$250" in subsection (j) and inserting in lieu thereof "$300";

(11) by striking out "$525" in subsectons (k) and (o) and inserting in lieu thereof "$600";

(12) by striking out "$340" in subsection (l) and inserting in lieu thereof "$400";

(13) by striking out "$390" in subsection (m) and inserting in lieu thereof "$450";

(14) by striking out "$440" in subsection (n) and inserting in lieu thereof "$525";

(15) by striking out "$200" in subsection (r) and inserting in lieu thereof "$250"; and

(16) by striking out "$290" in subsection (s) and inserting in lieu thereof "$350".

(b) The Administrator of Veterans' Affairs may adjust administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

SEC. 2. (a) Section 315(a)(1) of title 38, United States Code, is amended—

(1) by striking out "$23" in subparagraph (A) and inserting in lieu thereof "$25";

(2) by striking out "$39" in subparagraph (B) and inserting in lieu thereof "$43";

(3) by striking out "$50" in subparagraph (C) and inserting in lieu thereof "$55";

(4) by striking out "$62" and "$12" in subparagraph (D) and inserting in lieu thereof "$68" and "$13", respectively;

(5) by striking out "$15" in subparagraph (E) and inserting in lieu thereof "$17";

(6) by striking out "$27" in subparagraph (F) and inserting in lieu thereof "$30";

(7) by striking out "$39" and "$12" in subparagraph (G) and inserting in lieu thereof "$43" and "$13", respectively; and

(8) by striking out "$19" in subparagraph (H) and inserting in lieu thereof "$21".

(b) Such section 315(a)(1) is further amended by (1) striking out "and" at the end of subparagraph (G), (2) striking out the period at the end of subparagraph (H) and inserting in lieu thereof "; and", and (3) adding at the end thereof the following:

"(I) notwithstanding the other provisions of this subsection, the monthly amount payable on account of each child who has attained the age of eighteen years and who is pursuing a course of instruction at an approved educational institution shall be $40 for a totally disabled veteran and proportionate amounts for partially disabled veterans in accordance with paragraph (2) of this subsection."

(c)(1) Section 101(4)(C) of title 38, United States Code, is amended by striking out "twenty-one years" and inserting in lieu thereof "twenty-three years".

(2) Section 414(c) of title 38, United States Code, is amended by striking out "twenty-one" and inserting in lieu thereof "twenty-three".

SEC. 3. (a) Section 360 of title 38, United States Code, is amended (1) by inserting immediately before the words "the Administrator" the following: "or (3) has suffered total deafness in one ear as a result of service-connected disability and has suffered total deafness in the other ear as the result of non-service-connected disability not the result of his own willful misconduct," and (2) by inserting immediately after the words "kidney involvement" the following: "or such total deafness in both ears".

(b) Such section 360 is further amended by adding the following at the end of the catch line: "or bilateral deafness".

(c) The analysis of chapter 11 of such title 38 regarding section 360 is amended by inserting immediately before the period at the end thereof: "or bilateral deafness".

(d) Section 314(o) of title 38, United States Code, is amended by deleting the words "has suffered total deafness" and substituting in lieu thereof the words "if the veteran has suffered bilateral deafness (and the hearing impairment in either one or both ears is service connected) rated at 60 per centum or more disabling and the veteran has also suffered service-connected total blindness with 5/200 visual acuity or less,".

(e) Section 314(p) of title 38, United States Code, is amended by deleting "$525; and" and substituting therefor the following: "$600. In the event the veteran has suffered service-connected blindness with 5/200 visual acuity or less and (1) has also suffered bilateral deafness (and the hearing impairment in either one or both ears is service connected) rated at no less than 40 per centum disabling, the Administrator shall allow the next higher rate, or (2) has also suffered service-connected total deafness in one ear, the Administrator shall allow the next intermediate rate, but in no event in excess of $600;".

SEC. 4. (a) Section 415(b) of title 38, United States Code, is amended to read as follows:

"(b)(1) If there is only one parent who has not remarried, dependency and indemnity compensation shall be paid to him at a monthly rate equal to the amount under column II of the following table opposite his total income shown in column I:

"Column I		Column II
Total annual income		
More than—	but Equal to or less than—	
$1,000	$1,000	$83.
$1,250	$1,250	$66.
$1,500	$1,500	$50.
$1,750	$1,750	$33.
$2,000	$2,000	$17.
	----------	No amount payable.

"(2) If there is only one parent who has remarried and is living with his spouse, dependency and indemnity compensation shall be paid to him under either the table in subsection (b)(1) or the table in subsection (d), whichever rate is the greater. In such a case of remarriage the total combined annual income of the parent and his spouse shall be counted in determining the monthly rate of dependency and indemnity compensation under the designated tables."

(b) The table in section 415(c) of title 38, United States Code, is amended to appear as follows:

"Column I		Column II
Total annual income		
More than—	but Equal to or less than—	
$1,000	$1,000	$55.
$1,250	$1,250	$44.
$1,500	$1,500	$33.
$1,750	$1,750	$22.
$2,000	$2,000	$11.
	----------	No amount payable."

(c) The table in section 415(d) of title 38, United States Code, is amended to appear as follows:

"Column I		Column II
Total annual income		
More than—	but Equal to or less than—	
$1,500	$1,500	$55.
$1,850	$1,850	$44.
$2,200	$2,200	$33.
$2,550	$2,550	$22.
$3,000	$3,000	$11.
	----------	No amount payable."

SEC. 5. Section 560(b) of title 38, United States Code, is amended by striking out ", who has attained the age of forty years,".

SEC. 6. Section 106 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(e) Each person who has incurred a disability as a result of an injury or disease described in subsection (b) shall be entitled to the same rights, privileges, and benefits under the Act of June 27, 1944 (58 Stat. 387–391), as a person described in section 2(1) of such Act."

SEC. 7. Subsection (c) of section 230 of title 38, United States Code, is amended to read as follows:

"(c) The Administrator shall establish and maintain an office in Europe at such location as he deems appropriate. The head of such office shall be responsible for the performance of such duties as may be prescribed by the Administrator in the administration and operation of veterans' programs in that area and shall, during his tenure in such position, be accorded by the Secretary of State the diplomatic designation of Attaché."

SEC. 8. (a) Chapter 73 of title 38, United States Code, is amended by adding at the end thereof the following:

"§ 4116. Defense of certain malpractice and negligence suits

"(a) The remedy by suit against the United States as provided by section 1346(b) of title 28 for damages for personal injury, including death, allegedly arising from malpractice or negligence of a physician, dentist, or nurse in furnishing medical care or treatment while in the exercise of his duties in the Department of Medicine and Surgery, shall hereafter be exclusive of any other civil action or proceeding by reason of the same subject matter against such physician, dentist, or nurse (or his estate) whose act or omission gave rise to such claim.

"(b) The Attorney General shall defend any civil action or proceeding brought in any court against any physician, dentist, or nurse (or his estate) of the Department of Medicine and Surgery for any such damage or injury. The physician, dentist, or nurse against whom such civil action or proceeding is brought shall deliver within such time after date of service or knowledge of service as determined by the Attorney General, all process served upon him or an attested true copy thereof to his immediate superior or to whomever was designated by the Administrator to receive such papers and such person shall promptly furnish copies of the pleading and process therein to the United States attorney for the district embracing the place wherein the proceeding is brought, to the Attorney General, and to the Administrator.

"(c) Upon a certification by the Attorney General that the defendant physician, dentist, or nurse was acting in the scope of his employment in the Department of Medicine and Surgery at the time of the incident out of which the suit arose, any such civil action or proceeding commenced in a State court shall be removed without bond at any time before trial by the Attorney General to the district court of the United States for the district and division embracing the place wherein it is pending and the proceeding deemed a tort action brought against the United States under the provisions of title 28 and all references thereto. Should a United States district court determine on a hearing on a motion to remand held before a trial on the merits that the case so removed is one in which a remedy by suit within the meaning of subsection (a) of this section is *not available* against the United States, the case shall be remanded to the State court.

"(d) The Attorney General may compromise or settle any claim asserted in such civil action or proceeding in the manner provided in section 2677 of title 28, and with the same effect."

(b) The analysis of such chapter 73 is amended by adding at the end thereof the following:

"4116. Defense of certain malpractice and negligence suits."

(c) Section 4116 of title 38, United States Code, as added by subsection (a) of this section shall take effect on the first day of the calendar month which first occurs more than one hundred and eighty days after the date of enactment of this Act, and shall apply only to an act or omission occurring before such date with respect to which no suit or civil action has been commenced.

SEC. 9. (a) Subsection (c) of section 5033 of title 38, United States Code, is hereby repealed.

(b) Section 5034(1) of such title is amended by striking out "one-half bed" and inserting in lieu thereof "one and one-half beds".

SEC. 19. (a) Section 5001(a) of title 38, United States Code, is amended by redesignating paragraph (2) thereof as paragraph (3) and by inserting immediately after paragraph (1) thereof the following:

"(2) The Administrator, subject to the approval of the President, is authorized to establish and operate not less than one hundred and twenty-five thousand hospital beds in facilities over which the Administrator has direct and exclusive jurisdiction for the care and treatment of eligible veterans who are tuberculosis, neuropsychiatric, medical, and surgical cases."

(b) Paragraph (3) of such section (as redesignated by subsection (a) of this section) is amended by adding at the end thereof the following new sentence: "The nursing beds authorized by this paragraph shall be in addition to the hospital beds provided for in paragraph (2) of this subsection."

SEC. 11. The amendments made by the first section and sections 2, 3, 4, and 5 of this Act shall take effect on the first day of the second calendar month following the date of enactment of this Act.

Amend the title so as to read: "A bill to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes."

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this legislation.

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

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, this bill, as reported to the House, provides an approximate 10-percent increase in the rate of compensation payable to service-connected disabled veterans. It is the result of a series of hearings held in April before the Subcommittee on Compensation and Pension and two executive sessions by that subcommittee.

I want to take this occasion to particularly commend the subcommittee chairman, the gentleman from South Carolina, Mr. DORN, and his colleagues Messrs. KORNEGAY, ROBERTS, RONCALIO, HANLEY, FINO, CHARLES M. TEAGUE, and SAYLOR.

The last increase voted for this particular group was in Public Law 87–645, which was effective October 1, 1962.

Section 1 increases the basic rates of compensation. In the case of the veteran with a total disability the increase is from $250 monthly to $300 monthly, with the highest rate being set at $600 monthly in lieu of the present $525. The committee has adhered to the policy first adopted in the 82d Congress by giving the greatest increase to those veterans who have the greatest disability.

Mr. Speaker, I include as a part of my remarks a table showing the rate structure:

Rates of compensation for wartime service-connected disabilities

	War service-connected rates—	
	Law	H.R. 168
(*a*) 10-percent disability	$20.00	$21.00
(*b*) 20-percent disability	38.00	40.00
(*c*) 30-percent disability	58.00	60.00
(*d*) 40-percent disability	77.00	82.00
(*e*) 50-percent disability	107.00	113.00
(*f*) 60-percent disability	128.00	136.00
(*g*) 70-percent disability	149.00	161.00
(*h*) 80-percent disability	170.00	186.00
(*i*) 90-percent disability	191.00	209.00
(*j*) Total disability	250.00	300.00
(*k*) Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or both buttocks, or blindness of 1 eye, having only light perception, or complete organic aphonia with constant inability to communicate by speech, or deafness of both ears, having absence of air and bone conduction, rates (*a*) to (*j*) increased monthly by	47.00	47.00
Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or both buttocks, or blindness of 1 eye, having only light perception, or complete organic aphonia with constant inability to communicate by speech, or deafness of both ears, having absence of air and bone conduction, in addition to requirement for any of rates in (*l*) to (*n*), rate increased monthly for each loss or loss of use by	[1] 47.00	[2] 47.00
(*l*) Anatomical loss, or loss of use of both hands, or both feet, or 1 hand and 1 foot, or blind both eyes with 5/200 visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, monthly compensation	340.00	400.00
(*m*) Anatomical loss, or loss of use of 2 extremities at a level, or with complications, preventing natural elbow or knee action with prosthesis in place or has suffered blindness in both eyes having only light perception or has suffered blindness in both eyes, rendering him so helpless as to be need of regular aid and attendance, monthly compensation	390.00	450.00
(*n*) Anatomical loss of 2 extremities so near shoulder or hip as to prevent use of prosthetic appliance, or suffered anatomical loss of both eyes, monthly compensation	440.00	525.00

[1] But in no event shall the total payable under subsec. (k) exceed $525.
[2] But in no event shall the total payable under subsec. (k) exceed $600.

Rates of compensation for wartime service-connected disabilities—Continued

	War service-connected rates—	
	Law	H.R. 168
(o) Suffered disability under conditions which would entitle him to 2 or more rates in (l) to (n), no condition being considered twice, or suffered total deafness in combination with total blindness with 5/200 visual acuity or less, monthly compensation	$525.00	$600.00
(p) In event disabled person's service-incurred disabilities exceed requirements for any of rates prescribed, Administrator, in his discretion, may allow next higher rate, or intermediate rate, but in no event in excess of	525.00	600.00
(q) Minimum rate for arrested tuberculosis	67.00	67.00
(r) If entitled to compensation under (o), or the maximum rate under (p), and in need of regular aid and attendance, while not hospitalized at Government expense, additional monthly aid and attendance allowance	200.00	250.00
(s) If totally disabled and (1) has additional disability independently rated at 60 percent or more; or (2) is permanently housebound	290.00	350.00

NOTE.—Peacetime rates are 80 percent of wartime rates.

Section 2 of the bill increases the rates payable to a veteran who has a wife from $23 monthly to $25 monthly. This is in addition to his basic compensation. Proportionate increases are paid to those veterans who have a disability rated at 50 percent or more and who have dependents. This same provision of law authorizes today a monthly allowance for a veteran who is totally disabled a rate ranging from $12 to $16 for each child. The committee has raised this $16 monthly payment to $40 in the case of a child who is between the ages of 18 and 23 and who is attending school on a full-time basis.

Section 2 also raises generally the length of time which a veteran may receive compensation for a child who is attending school. The present law provides for a cutoff at age 21. This bill would set it at age 23, in line with the benefits available under the war orphans' educational assistance act.

Section 3 provides increased new rates for blinded veterans who also have serious impairment of their hearing. The effect of this section which was suggested by the Blinded Veterans' Association, is quite limited in its application.

Public Law 881 of the 84th Congress established a program of dependency and indemnity compensation for the survivors of veterans dying from a service-connected disability. The vast majority of the payments made under this law obviously go to widows and children of such veterans. However, 38,000 parents are on the dependency and indemnity compensation rolls today who must meet an income limitation which today ranges from a minimum of $750 to a maximum of $1,750 for a single parent, and from $1,000 to $2,400 in the case of two parents living together. The committee has raised these income limits to a minimum of $1,000 and a maximum of $2,000 for a single parent and $1,500 to $3,000 for two parents living together. This is intended to reflect the changes which have occurred in the increase in cost of living since the dependency and indemnity compensation law became effective January 1, 1957. The rates were increased 10 percent by Public Law 88–21, approved May 15, 1963.

Section 5 removes the 40-year age requirement presently in the law with regard to the payment of $100 a month to all holders of the Congressional Medal of Honor. Only 23 veterans are under the age of 40 and who hold this Medal of Honor. This section would permit all of them to receive the $100-a-month pension.

Under existing law an individual who is on his way to be inducted into one of the branches of the Armed Forces and who is injured in the course of such reporting for duty is entitled to service-connected compensation. Section 6 of this bill would extend, under the same conditions, the benefits of the Veterans' Preference Act to such an individual.

This section provides that the head of our Rome VA office shall be accorded the diplomatic designation of attaché. Such status has long been provided for the head of the other VA Foreign Office located in Manila, Republic of the Philippines.

The area served by our Rome office is a large and important one. It includes the 21 nations of Western Europe where there are more than 9,000 American veterans and their dependents who receive annual payments totaling $20 million, as well as other benefits provided under laws administered by the Veterans' Administration.

The granting of diplomatic status to the manager of our Rome office and the key members of his staff will substantially aid the Veterans' Administration in carrying out its responsibilities. In the performance of their assigned duties, it is essential that key personnel in our Rome office travel extensively throughout Europe to some 60 State Department posts. In addition, our people must meet and deal with international groups, foreign government and quasi-government officials on matters of mutual interest concerning veterans and benefits provided for them. On occasions, assigned duties performed by our representatives have required them to travel beyond the limits of Western Europe. Travel in Bulgaria, Jordan, Israel, and Cyprus are examples. Official recognition and ready acceptance of our representatives by these groups and by these officials and also by foreign passport, visa, and customs authorities is highly desirable and most beneficial.

I am advised that the heads of all U.S. agencies and departments attached to the Rome Embassy, with the exception of the Veterans' Administration, have this status. In addition to the Army, Navy, and Air Force, these include Agriculture, Customs, Commerce, Labor, Maritime, Treasury, and USIA.

Diplomatic status will provide maximum personal safety and security for our personnel as they travel through Iron Curtain countries. It will also allow our representatives to contact and deal with foreign government officials in making appropriate investigations in VA benefit cases.

There is, of course, no additional cost related to the granting of diplomatic status.

The section also provides for greater flexibility on the part of the Administrator of Veterans' Affairs in assigning duties and responsibilities to our Rome office.

Section 8 seeks to provide protection for physicians, dentists, and nurses in the department of medicine and surgery in the Veterans' Administration in the event a malpractice suit is brought against them. In effect, the Attorney General would defend any civil action brought against a physician, dentist, or nurse arising out of his employment. If successful, this would end the matter. If the Government should lose the case and a claim be approved by the courts in favor of the plaintiff, the Government would bear the cost of meeting the claim. This provision is modeled after the so-called Drivers' Liability Act, Public Law 87–258.

One of the provisions of Public Law 88–450 was the authority for the construction of nursing home care beds by individual States. Five million dollars annually was authorized for a 5-year period to encourage the construction of such beds by the States, this construction to be based on a matching fund basis. To date, no formal applications have been received by the Veterans' Administration to participate in this program. Perhaps some of this lack of participation stems from the restrictions of the law which bar more than 10 percent of this $5 million fund from going to any one State. Section 9a repeals this 10 percent limitation and section 9b increases the formula for the allocation of such construction to 1½ beds for each 1,000 veterans in lieu of the present requirement of one-half bed for each 1,000 veterans.

Reference has already been made to Public Law 88–450, the principal feature of which was the authorization of 4,000 nursing care beds in addition to the 125,000 hospital beds in the VA medical system. The 125,000 hospital bed ceiling was established in 1959 by the President in an executive communication to the Administrator of Veterans' Affairs. Despite the exchange of a large amount of correspondence between the chairman of the committee and the Director of the Bureau of the Budget the latter is adamant in his belief that "it is not entirely clear whether the Congress intended the 4,000 nursing care beds to be in addition to the 125,000 hospital bed ceiling." I know of no Member of Congress who shares the Director's point of view. Section 10 is intended to make it clear to the Director and to others

that Congress, in enacting Public Law 88-45 intended that the 4,000 nursing care beds be in addition to the 125,000 hospital bed ceiling.

The cost of the bill as reported is $178,-166,663.

Mr. Speaker, at this point I include a summary of views by veterans organizations:

POSITION OF VETERANS ORGANIZATIONS

AMERICAN LEGION

Bill supported by this organization would provide for—

Increases in death and disability compensation;

Additional compensation for those veterans rated less than 50 percent who have dependents;

Equalization of the compensation payment structure;

Improvements in the dependency and indemnity compensation program for dependent parents.

DISABLED AMERICAN VETERANS

We recognize that service-connected disability compensation rates have been adjusted from time to time in order to keep pace with the fundamental changes in price levels. Public Law 87-645, effective October 1, 1962, granted the most recent compensation increases, ranging from $1 per month for the 10-percent disabled, $7 per month for the 50-percent disabled, and $25 per month for those totally incapacitated.

These increases, averaging 9.4 percent, were most welcome and particularly helpful to veterans with the greater disabilities. However, this percentage increase did not serve to bring compensation rates abreast of increases granted workers in the general economy since 1933 and does not reflect true comparability with the increase in the cost of living since that date.

VETERANS OF FOREIGN WARS

Subsequent to our convention, our commander in chief, John A. Jenkins, summoned our national legislative committee to meet here in Washington, D.C., for the purpose of reviewing the many resolutions adopted at our Cleveland national convention. This committee recommended and our commander in chief has appproved a top priority legislative program for this year.

No. 1 on the list relates to the compensation program and reads as follows:

"(a) Fifteen-percent increase in the compensation payments with due consideration to the continuing increase in the cost of living, that a 100-percent totally disabled veteran is entitled to only $250 a month or $3,000 a year which has been defined as poverty status, that the income of the average American family is $6,000 a year and that a GS-1, the starting classification for a Federal employee is $3,360 per year, and all other factors having a bearing on the lagging compensation rates would have fallen behind by approximately 15 percent during the last three decades."

Mr. Speaker, because of its pertinence to section 10 of the bill, I include the text of Committee Print No. 106 and the June 30, 1965, report on the age and number of veterans in civil life:

MAY 7, 1965.

Hon. LYNDON B. JOHNSON,
President of the United States of America, Washington, D.C.

MY DEAR MR. PRESIDENT: In the 88th Congress, after a great deal of study, the Congress passed Public Law 88-450, to provide nursing-home care and nursing-care facilities for elderly veterans. The bill received strong support in both Houses of Congress and from the national veterans' organizations and it was approved on August 19, 1964. However, it is the opinion of the Committee on Veterans' Affairs and myself that this law is not being complied with.

A year prior to passage of this legislation, on August 13, 1963, President Kennedy authorized the Veterans' Administration to activate and operate beds for 2,000 nursing-home-type patients, in addition to the 125,000 hospital beds then authorized. The pertinent portion of President Kennedy's directive is quoted below:

"Older veterans account for one-third of your hospital admissions and they comprise the bulk of the long-term-care patient load. Many have attained maximum benefits of hospitalization but attempts at community placement have been unsuccessful because of the lack of facilities, inadequate financial resources, absence of family ties, and other reasons. Retention of these patients in facilities designed for acute care is costly and places an undue strain on the 125,000-hospital-bed limit under which you are now operating.

"In order to relieve this situation, I authorize you to activate and operate facilities and beds for 2,000 nursing-home-type patients in addition to the 125,000 hospital beds presently authorized. This will provide arrangements more consistent with patient requirements and improve utilizations of acute care facilities."

In its study of the problem, Congress concluded that the 2,000 nursing-care beds authorized by President Kennedy in addition to the 125,000 hospital beds were insufficient to meet the needs of veteran patients requiring nursing-type care, and approved Public Law 88-450 on August 19, 1964, authorizing an additional 2,000 beds. During the course of the hearings and the debate there was a great deal of discussion as to whether the 2,000 beds authorized by Congress were to be in addition to the 2,000 beds previously authorized by President Kennedy and whether these 4,000 beds were to be in excess of the 125,000-hospital-bed ceiling. A review of the legislative history of this act leaves not the slightest doubt that Congress intended that the 2,000 additional nursing-care beds authorized by Public Law 88-450 should be in the same category as the 2,000 nursing-care beds authorized by President Kennedy, and that these 4,000 beds were in excess of the 125,000-bed ceiling.

House Report No. 680, to accompany H.R. 8009, which was enacted as Public Law 88-450, contains the following statement:

"Section 1 of the bill, as reported, provides that the Administrator may, subject to the approval of the President, establish and operate not more than 2,000 additional nursing home care beds for veterans eligible for such care in facilities over which the Administrator has direct and exclusive jurisdiction. An administratve ceiling of 125,000 hospital beds was established during the Eisenhower administration, as indicated on pages 30 to 37 of this report.

"While the cited authority is discretionary let there be no doubt or misunderstanding as to the intent, purpose, and desire of the committee. The 2,000 additional nursing home care beds are to be provided in the immediate future and to be fully operated at the earliest practical date.

"The net increase provided by this bill shall be not less than 2,000 and whether or not the new hospital ceiling is 127,000 or the nursing care beds are included in the domiciliary allotment (which is not governed by any ceiling other than availability of funds), is of no concern to the committee so long as intermediate or nursing home care beds are provided in the additional amount indicated."

Senate Report No. 1293, to accompany H.R. 8009, contains the following statement:

"Section 1 of the bill, as reported, provides that the Administrator may, subject to the approval of the President, establish and operate not less than 4,000 nursing home care beds for veterans eligible for such care in facilities over which the Administrator has direct and exclusive jurisdiction. An administrative ceiling of 125,000 hospital beds was established during the Eisenhower administration.

"While the cited authority is discretionary let there be no doubt or misunderstanding as to the intent, purpose, and desire of the committee. The 4,000 nursing home care beds are to be provided in the immediate future and to be fully operated at the earliest practicable date. It is fully expected by the committee that every bed of this type which is placed in operation by the VA will be fully utilized for the purpose stated.

"The net increase provided by this bill shall be not less than 4,000 and whether or not the new hospital ceiling is 127,000, or the nursing care beds are included in the domiciliary allotment (which is not governed by any ceiling other than availability of funds), is of no concern to the committee so long as intermediate or nursing home care beds are provided in the amount indicated."

I believe there is no doubt Congress intended that the 2,000 beds authorized by Public Law 88-450 would be in the same category as the 2,000 beds previously authorized by President Kennedy, and that these 4,000 nursing-care beds would be in addition to the 125,000-hospital-bed ceiling. The legislative history of Public Law 88-450 also clearly indicates that it was the intent of Congress that these 4,000 additional nursing-care beds become fully operational at the earliest practicable date.

In recent hearings we have sought assurances from the Bureau of the Budget that the nursing-care beds were to be in addition to the 125,000-hospital-bed ceiling, as intended by Congress, and these assurances have not been supplied. It is our understanding that the Veterans' Administration is currently operating under directives which include the 4,000 nursing-care beds in the 125,000-bed ceiling. The Veterans' Administration is not being permitted to activate the 4,000 nursing-care beds at the earliest practicable time. In fact, under current budgetary restrictions it will be several years from the date of enactment of the legislation before the 4,000 beds are in operation. As of this date the Veterans' Administration has activated only 357 nursing-care beds. In some of its earlier plans the Veterans' Administration had indicated its intention of activating some of these nursing-care beds in the hospitals now proposed for closing.

Respectfully,

OLIN E. TEAGUE,
Chairman.

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., June 16, 1965.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your letter of May 7 to the President regarding the activation and operation of nursing-care beds by the Veterans' Administration.

While giving full consideration to the statements cited in your letter for the House and Senate committee reports accompanying H.R. 8009, the administration has found the legislative history on Public Law 88-450 taken as a whole, not entirely clear as to the intent of Congress. This is in part because the title of the act and the House committee report indicate a principal purpose of the 4,000 nursing-care beds is to provide facilities for more appropriate care

of long-term veteran patients while reducing the cost to the United States of caring for such veterans. Even though nursing-care beds may cost less per patient-day to operate than hospital beds, it is apparent that this objective cannot be achieved if the nursing-care beds are in addition to the 125,000 authorized hospital beds. Only as hospital beds are converted to nursing-home beds can true savings be achieved.

It is clear both from the wording of section 1 of Public Law 88-450 itself and from the committee reports, that under the law it is, in fact, discretionary with the Administrator of Veterans' Affairs and the President as to whether the nursing-care beds are in addition to or within the 125,000 authorized hospital beds. This, we believe, is a desirable situation, particularly in light of the factors set forth below. In view of this discretion, we believe that the inclusion of the 4,000 nursing-care beds within the 125,000-bed authorization is not in violation of Public Law 88-450.

There are a number of reasons why it is neither necessary nor desirable to decide at this time that the 4,000 nursing-care beds should be added to the 125,000 authorized hospital beds.

One is the new program for care of veterans in private nursing homes authorized by Public Law 88-450. This new program will permit the transfer of long-term patients from VA hospitals thereby making available to other veterans the beds they occupied. The shorter length of stay of the new patients will mean that the beds thus unfrozen should, over a period of a year, care for several times as many veterans as they did when occupied by long-term patients. Although the 1966 budget provides funds for a daily average of 2,740 veterans in private nursing homes, it will not be possible until this new program has been in actual operation for some time to determine with accuracy either the number of veterans who can be so transferred or its effect on VA hospital bed requirements.

Neither is it possible to judge now the effect on the VA hospital system of enactment of the Social Security Amendments of 1965 currently under consideration by Congress. If only 10 percent of the veterans 65 and older now in VA hospitals for medical and surgical non-service-connected disabilities are able to finance their hospitalization in community facilities with the assistance provided under that bill, approximately 2,000 beds in VA hospitals will become available for other veterans. Until actual experience under this new program is available, it would seem unwise to expand the VA hospital system by adding 4,000 nursing-care beds on top of the 125,000 authorized beds.

A third consideration is the fact, as confirmed by your committee's survey of VA hospitals, that there are at least 4,000 patients currently hospitalized who could more appropriately be provided nursing-home-type care. In the absence of a clear need to increase the total number of beds available to non-service-connected veterans, the appropriate approach is to convert existing hospital beds to nursing-care facilities.

There is every indication that at present the 125,000 beds authorized for the VA hospital system nationwide are adequate to meet the needs of veterans with service-connected disabilities plus those veterans with non-service-connected disabilities who cannot afford to pay for their care. As indicated by the variations in waiting lists and other factors, the major problem is the maldistribution of the VA beds with more than enough beds in some geographical areas and a shortage of beds in other areas. The plan to relocate VA hospital beds to shortage areas in a step toward correcting this situation. Redistribution of the presently authorized beds on a more equitable basis should be accomplished before deciding to add to the total beds operated by VA.

I can assure you that the Veterans' Administration is not being restricted in proceeding with the activation of the 4,000 nursing-care beds at the earliest practicable time. The President has approved the Administrator's proposals for specific locations for 1,848 of these beds and the Administrator is undertaking as fast as possible the necessary studies to determine where the remainder of the 4,000 beds should be located.

Neither have there been any budgetary restrictions which have delayed the activation of the nursing-care facilities. Five million dollars was requested in the 1965 budget to convert VA facilities for the first 2,000 nursing-care beds and after Public Law 88-450 was enacted in August 1964 an additional $5 million was included in the 1966 budget to provide the second 2,000 beds.

It has not been budgetary restrictions nor lack of effort by the Veterans' Administration which accounts for only 357 nursing-care beds being in operation at the present time. The Administrator has proceeded as fast as possible consistent with sound planning, but it takes time to develop criteria for the facilities needed for a new program, determine an equitable nationwide distribution of the beds, survey existing facilities to ascertain their suitability for conversion to nursing-home care, prepare architectural plans, and accomplish the necessary alterations.

The first $5 million appropriated by Congress for conversion of facilities did not become available to the Administrator until August 30, 1964. By June 30 the Administrator expects to have 1,000 nursing-care beds in operation. We believe this is a creditable accomplishment in the less than 9 months that funds will have been available. With much of the initial planning for the new program accomplished, it is anticipated the establishment of the remaining 3,000 beds can be accelerated so that the entire 4,000 beds will be in operation by June 30, 1967.

The President appreciates your writing to him and we welcome this opportunity to present in detail the situation as we see it.

Sincerely,

CHARLES L. SCHULTZE,
Director.

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., July 26, 1965.

To: Hon. OLIN E. TEAGUE,
From: Education and Public Welfare Division.
Subject: Congressional intent with respect to nursing homes under Public Law 88-450.

This is in answer to your July 12 letter asking for a review of the legislative history of Public Law 88-450 to determine the intent of Congress in enacting section 1 of this law. Enclosed with your letter was a copy of a letter to you from the Director of the Bureau of the Budget stating that "the administration has found the legislative history on Public Law 88-450, taken as a whole, not entirely clear as to the intent of Congress."

The specific point at issue is whether Congress intended that the 4,000 nursing-home beds authorized by this legislation were to come within the administrative ceiling of 125,000 hospital beds in the VA hospital system, which was established by President Eisenhower in a letter dated February 26, 1959, to the Administrator of Veterans' Affairs.

The letter which you received from the Director of the Bureau of the Budget states that "it is clear both from the wording of section 1 of Public Law 88-450 itself and from the committee reports, that under the law it is, in fact, discretionary with the Administrator of Veterans' Affairs and the President as to whether the nursing-care beds are in addition to or within the 125,000 authorized hospital beds.

"In view of this discretion, we believe that the inclusion of the 4,000 nursing-care beds within the 125,000-bed authorization is not in violation of Public Law 88-450."

There is no clear expression of intent in section 1 of Public Law 88-450 concerning whether the 4,000 nursing-home beds there provided should come under the administrative ceiling on hospital beds.

In response to your request, we have examined the committee reports and floor debates on Public Law 88-450 for expressions of this intent. These expressions are discussed below. In this discussion we have not attempted to make a judgment as to what the legislative intent was in this matter. We felt that we could best serve the purposes of your request by pointing to those statements in the legislative history of the act which do indicate that Congress intended that the nursing-home beds were not to come under the hospital bed ceiling and developing arguments along these lines. We might add that we found no expressions by the committees, or committee members during debate, indicating directly an intention that the nursing-care beds authorized by the act were to come under this ceiling.

EXPRESSIONS INDICATING INTENT THAT NURSING HOME BEDS WOULD NOT COME UNDER HOSPITAL BED CEILING

(1) In explaining section 1 of the bill on page 2 of the House report (H. Rept. No. 680, 88th Cong., 1st sess.), the committee stated:

"Section 1 of the bill, as reported, provides that the Administrator may, subject to the approval of the President, establish and operate not more than 2,000 additional nursing home care beds for veterans eligible for such care in facilities over which the Administrator has direct and exclusive jurisdiction. An administrative ceiling of 125,000 hospital beds was established during the Eisenhower administration, as indicated on pages 30 to 37 of this report.

"While the cited authority is discretionary let there be no doubt or misunderstanding as to the intent, purpose, and desire of the committee. The 2,000 additional nursing home care beds are to be provided in the immediate future and to be fully operated at the earliest practicable date.

"The net increase provided by this bill shall not be less than 2,000 and whether or not the new hospital ceiling is 127,000, or the nursing care beds are included in the domiciliary allotment (which is not governed by any ceiling other than availability of funds), is of no concern to the committee so long as intermediate or nursing home care beds are provided in the additional amount indicated.

"Further, such nursing home beds may be based on renovation or modernization of existing Veterans' Administration facilities as is quite possible and as indicated on page 20, or may be new construction along the lines of the long term chronic care unit just beginning operation at the Kecoughtan, Va., Veterans' Hospital."

This statement on the part of the committee indicates in several respects the committee's intention that the nursing home beds are not to fall within the administrative ceiling on hospital beds. This appears to be indicated by the use of the word "additional" each time that the nursing care beds are referred to.

The third paragraph in the quoted excerpt of the committee report is perhaps the most direct statement made in the legislative history of the act concerning the point under discussion. A reasonable interpretation of

this paragraph would be that the committee was expressing its understanding to the executive branch concerning the manner in which the bill would affect a matter—i.e., the administrative ceiling on hospital beds—which was within the discretion of the Executive and concerning which the committee chose not to act at that time. As expressed in this paragraph the committee's intention appears to be that either the administrative ceiling on hospital beds should be increased sufficiently to include the proposed nursing care beds without decreasing the existing ceiling, or that the nursing care beds should be included under the domiciliary program which is not subject to any bed limitation. In either of these cases the nursing care beds would have been provided without affecting the ceiling on hospital beds.

(2) On page 6 of the House report is contained a summary of the committee's recommendations for a nursing home care program. The first recommendation is for: "Authorizing the use of 2,000 additional nursing care beds in the existing Veterans' Administration system."

Again, the use of the word "additional" in this recommendation would appear to indicate an understanding that the beds were to be in addition to those already provided within the existing system.

(3) On page 30 of the House report is the beginning of a discussion centering around the question whether any of the nursing-care beds should be within or above the administrative ceiling on hospital beds.

The introductory paragraph of this section of the report reads as follows:

"There is an administrative 125,000-bed ceiling on the number of hospital beds which may be operated by the Veterans' Administration. The question has arisen as to whether any nursing-care beds should be within or above this ceiling. The ceiling was set during the administration of President Eisenhower and the history is indicated by the material which follows."

There follows a copy of the 1959 letters between the Administrator of Veterans' Affairs and the President concerning the hospital bed ceiling and an excerpt from the subcommittee hearings on nursing care. This is the complete extent of the discussion in this section of the report. There is no statement on the part of the committee itself answering the question which it stated had arisen and the quoted materials do not seem to answer the questions either. However, the colloquy during the subcommittee hearings between committee counsel and Dr. Zink which was inserted in the report does contain the point that the proposed nursing-home beds could not be made available without exceeding the current bed ceiling when that ceiling reaches the point of being fully utilized.

(4) The August 12, 1963, Memorandum of President Kennedy ordering into activation 2,000 nursing-home-type beds stated explicitly that these beds were to be "in addition to the 125,000 hospital beds now authorized." This memorandum was inserted at pages 60 and 60b of the House report. It seems reasonable to conclude that the committee had the same intention as was expressed by President Kennedy. If the committee had a different intention a statement to that effect would be expected in the report.

(5) The Senate report on the bill (S. Rept. No. 1293, 88th Cong., 2d sess.) contains most of the statements and materials that were in the House report concerning this question. However, the Veterans' Administration's report to the Senate committee, which was made after the August 13, 1963, memorandum of President Kennedy, took the position that section 1 of the bill was unnecessary since the executive branch already had the authority contained in section 1 and had already acted on it. This position would seem to imply that the nursing-home beds were to be in addition to the 125,000 hospital beds authorized as was stated in the memorandum of the President.

The VA report also mentions of the fact that the current law placed no limit on the number of nursing-home beds that could be established. At the time the VA reported on the bill, however, it would have had the effect of placing a limit on the number of nursing-home beds that could be established. This was changed by the Senate committee which substituted the words "not less than" for "not more than" which were in the bill as it passed the House.

(6) During debate on the bill, the chairman of the Subcommittee on Intermediate Care, which held hearings on nursing homes and helped formulate the bill, stated in his remarks on the bill that:

"An administrative ceiling of 125,000 hospital beds was established during the Eisenhower administration, and the action of President Kennedy on August 12, 1963, would appear to increase this figure to 127,000" (CONGRESSIONAL RECORD, vol. 109, pt. 13, p. 17224).

This statement appears to indicate an understanding that the effect of the bill would be the same, i.e., to increase the ceiling to 127,000.

JAMES W. KELLEY.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., August 2, 1965.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your letter of July 12, requesting full documentation of the statement in my June 16 letter that the legislative history on Public Law 88–450, when taken as a whole, is not entirely clear that the intent of Congress is for the 4,000 nursing-care beds to be in addition to the 125,000 authorized bed ceiling.

Our statement is based on three points. First, the title of Public Law 88–450 gives as the purpose of the act—"to provide veterans with urgently needed nursing-home care and nursing-care facilities while reducing the cost of the United States of caring for such veterans."

On page 7 of its report the Senate committee states that "the enactment of this legislation will give at least 4,000 veterans who need it, better care at less cost to the Government."

The only way we can see by which the Government can achieve true savings in the care of such patients is by converting hospital beds to nursing-home care.

Second, the Senate committee says on page 2 of its report that the net increase in nursing-care beds provided by this bill "shall be not less than 4,000 and whether or not the new hospital ceiling is 127,000 or the nursing-care beds are included in the domiciliary allotment (which is not governed by any ceiling other than availability of funds) is of no concern to the committee so long as intermediate or nursing-home-care beds are provided in the amount indicated."

This would seem to indicate that the committee had in mind the possibility of adding 2,000 of the 4,000 nursing-care beds to the 125,000 hospital bed ceiling with the other 2,000 nursing-care beds being substituted for hospital beds within the ceiling.

Third, there is an identical statement on page 2 of the House committee report except that the net increase in nursing-care beds is given as 2,000 instead of the 4,000 used in the Senate committee report. This difference is because the House committee intended the 2,000 nursing-care beds it was recommending to be in addition to the 2,000 such beds previously authorized by the President while the Senate committee subsequently combined the two figures into an authorization for 4,000 nursing-care beds. Since the President, at the time of the House committee report, had already authorized the first 2,000 nursing-care beds it would seem that the House committee in referring to the possibility of a 127,000-bed ceiling had in mind 2,000 of the beds being substituted for hospital beds.

It is on the basis of these points that we believe the legislative history, when taken as a whole, is not entirely clear whether the Congress intended the 4,000 nursing-care beds to be an addition to the 125,000 hospital bed ceiling.

We appreciate the opportunity to further clarify this situation as we see it.

Sincerely,

CHARLES L. SCHULTZE,
Director.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., August 13, 1965.

B–125206.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your letter of July 1, 1965, with enclosures, acknowledged July 26, concerning implementation by the Veterans' Administration of Public Law 88–450 approved August 19, 1964, on nursing-home-care beds for veterans.

It is the opinion of your committee and yourself, as indicated in the letter and enclosures, that section 1 of this law is not being complied with. That is, that the Veterans' Administration is including the not less than 4,000 nursing-home-care beds authorized to be established and operated therein in the 125,000 hospital-bed ceiling established by the President in 1959, instead of providing these nursing-care beds in addition to the hospital-bed ceiling. In view thereof, you request that we make an appraisal of the matter.

In accordance with the terms of 38 U.S.C. 5001, an administrative ceiling of 125,000 hospital beds was established by the President in 1959. This ceiling represents the maximum number of hospital beds approved by the President which may be operated by the Veterans' Administration for current and future inpatient care. The President by letter of February 26, 1959, to the Administrator of Veterans' Affairs, stated that there was need for a clear policy governing the rule of the Federal Government in providing facilities for hospital care to war veterans for nonservice-connected disabilities.

He stated further that the Congress has generally left it within the discretion of the President to determine and recommend to the Congress the extent to which facilities should be constructed or otherwise provided for the care of veterans. The President, therefore, established a policy providing for the replacement or modernization of Veterans' Administration facilities within the limits of an authorized 125,000-bed capacity. This total was based on the structural capacities of then existing hospitals with adjustments for approved replacement and modernization projects. See the exchange of letters between the Administrator of Veterans' Affairs and the President set forth at pages 30–36 of House Report No. 680, 88th Congress, 1st session, on H.R. 8009 which became Public Law 88–450.

Subsequently, by memorandum of President Kennedy dated August 12, 1963, to the

Administrator of Veterans' Affairs, he authorized the establishment of 2,000 nursing-home-type beds, and expressly provided that such beds were in addition to the 125,000-bed ceiling theretofore established. See pages 60 a and b of the cited House report.

In this connection, we note that bills have been introduced in the 89th Congress that are concerned with establishing an authorized bed capacity in the Veterans' Administration hospital system. For example, H.R. 202 and Senate Concurrent Resolution 13. Senate Report No. 270 on the latter resolution at pages 2 and 8–9 states that the Congress has never placed a limit on the number or character of beds in the Veterans' Administration hospital system. The report states further that the resolution would declare it to be the sense of the Congress that the authorized bed capacity limitation should be increased by the President to 130,000 beds and requests the President to take such action as soon as practicable.

House Report No. 450, 89th Congress, 1st session, by the Committee on Veterans' Affairs on H.R. 202, states that the bill would authorize the Administrator, subject to the approval of the President, to establish and operate not less than 125,000 hospital beds and that this bill would write into law what was authorized by the President in 1959 by an Executive communication to the Administrator of Veterans' Affairs. The bill would also authorize no less than 17,000 beds for domiciliary care. The report states further that with the 4,000 nursing-care beds authorized in 38 U.S.C. 5001(a)(2), there will be an overall authorization of 146,000 beds in the VA system to provide a wide range of institutional care.

We have carefully reviewed the printed legislative record of Public Law 88–450, and it is our view that the intent thereof with reference to nursing-home-care beds is that (1) there be established not less than 4,000 such beds at the earliest practicable date, and (2) that such beds are excluded from the 125,000-bed ceiling established by the President in 1959. However, and as stated in both the House and Senate reports on H.R. 8009, the language of section 1 is discretionary rather than mandatory, so that the matter of implementing the provisions to accord full effect to the congressional intent of this enactment is one involving the good faith by an agency of the Government with the Congress.

Sincerely yours,

FRANK H. WEITZEL,
Acting Comptroller General of the United States.

DATA SUPPLIED BY VETERANS' ADMINISTRATION
JULY 6, 1965

VA nursing-home-care bed-activation schedule projected through Nov. 1, 1965

Station projects	Activation date of permanent unit	Estimated construction cost [1]	Number of operating beds [2] as of—				
			July 1, 1965	Aug. 1, 1965	Sept. 1, 1965	Oct. 1, 1965	Nov. 1, 1965
PHASE I							
Alexandria, La	Oct. 31, 1965	$279,800	(45)	(45)	(45)	(45)	80
Beckley, W. Va	do	91,500					42
Bonham, Tex	June 1, 1965	102,000	38	38	38	38	38
Buffalo, N.Y	Apr. 1, 1965	33,000	36	36	36	36	36
Butler, Pa	Oct. 31, 1965	124,200	(30)	(30)	(30)	(30)	64
Cincinnati, Ohio	Sept. 30, 1965	188,500				73	73
Dayton, Ohio	Oct. 31, 1965	109,800	(30)	(30)	(30)	(30)	84
Dearborn, Mich	Jan. 31, 1966	29,600					
Dublin, Ga	Aug. 14, 1965	188,800	(56)	(56)	56	56	56
Fargo, N. Dak	Sept. 1, 1965	91,800	24	24	50	50	50
Houston, Tex	Oct. 31, 1965	255,100	(40)	(40)	(40)	(40)	78
Indianapolis, Ind	Apr. 15, 1965	61,300	46	46	46	46	46
Lebanon, Pa	Sept. 30, 1965	58,900	(34)	(34)	(34)	37	37
Livermore, Calif	June 1, 1965	31,100	36	36	36	36	36
Los Angeles, Calif	Sept. 30, 1965	94,500	(50)	(50)	(50)	71	71
Mountain Home, Tenn	May 10, 1965	50,000	58	58	58	58	58
Poplar Bluff, Mo	June 1, 1965	67,100	49	49	49	49	49
Reno, Nev	do	14,300	22	22	22	22	22
Wadsworth, Kans	do	82,400	45	45	45	45	45
Total		1,953,700	639	639	665	762	965
PHASE II							
Brockton, Mass	Oct. 31, 1965	88,100	(30)	(30)	(30)	(30)	51
Cheyenne, Wyo	do	72,200	(30)	(30)	(30)	(30)	47
Chicago, Ill. (West Side)	do	73,500	(20)	(20)	(20)	(20)	40
Fayetteville, N.C	do	35,500	(30)	(30)	(30)	(30)	39
Kecoughtan, Va	do	76,400	(41)	(41)	(41)	(41)	41
Manchester, N.H	do	59,000	(30)	(30)	(30)	(30)	38
Pittsburgh, Pa	Nov. 30, 1965	121,100	(36)	(36)	(36)	(36)	(36)
Sepulveda, Calif	Oct. 31, 1965	57,600	(30)	(30)	(30)	(30)	45
Togus, Maine	Dec. 31, 1965	159,000	(40)	(40)	(40)	(40)	(40)
Wilmington, Del	June 30, 1965	85,100	[3] 39	39	39	39	39
Wood, Wis			(44)	(44)	(44)	(44)	(44)
Sioux Falls, S. Dak	Oct. 31, 1965	206,600					75
Total		1,034,100	370	370	370	370	535
Grand total		2,987,800	1,009	1,009	1,035	1,132	1,500

[1] Represents amount approved for project construction. Does not include portable equipment projected at $375 per bed.
[2] Numbers in parentheses are temporary beds. Where parentheses are removed from a project it indicates conversion of temporary to permanent beds.
[3] To be established on June 30, 1965.

NURSING-HOME CARE PER DIEM COSTS

The VA has not had suitably established nursing-home care units in operation long enough to determine accurate per diem operating costs. While some of these beds had been placed in operation in temporary locations at five hospitals as of March 1, 1965, many factors preclude development of valid per diem operating costs. Some examples of these problems are:

Units are too small to permit separate staffing.

Units are understaffed, and have low occupancy.

Space and arrangement does not permit efficient operation.

Lack of uniform operating instructions (program guide provided stations in April and May 1965).

Normal problems involved in a new program.

The first properly established project was the 36-bed unit at Buffalo, activated April 1, 1965. The second such project was the 46-bed unit at Indianapolis, activated April 15, 1965, and the third was 58 beds at Mountain Home on May 10, 1965. These units should have at least a 2- to 3-month shakedown in order to recruit and train staff, and get the beds in proper operation. Per diem data are not yet available at these stations.

For fiscal years 1965 and 1966, stations are being allowed $13.47 per diem to operate nursing-home-care beds, excluding housekeeping and maintenance requirements. The five stations that have been operating beds in temporary facilities since March 1, 1965, have reported per diem costs including housekeeping and maintenance. For the reasons stated above these cost data may or may not reflect a true picture. These stations are as follows:

Station	Number of beds	Per diem cost
Fargo, N. Dak	24	$13.92
Alexandria, Pa	45	13.85
Lebanon, Pa	34	11.90
Reno, Nev	22	15.67
Los Angeles, Calif	50	12.76

Remarks

(a) Thirteen States have indicated an interest in securing matching funds to construct nursing care facilities under section 4 of Public Law 88–450.

(b) No formal applications have been submitted. No funds were appropriated for this program in fiscal year 1965.

(c) Representatives of the following States have visited central office regarding construction plans:

(1) Nebraska is planning for the construction of a new 100-bed nursing home at Nebraska Soldiers' and Sailors' Home, Grand Island. Total estimated cost is $1,798,500. The VA can participate in only 76 beds requiring approximately $675,000. Preliminary drawings have been discussed with VA. It is planned to let bids for project about June 1966.

(2) Vermont is planning a new 22-bed nursing home at the Vermont State Soldiers' Home, Bennington, Vt. Total estimated cost is about $203,000. Project has been approved and budgeted by Vermont State Buildings Division/Board.

(d) Indiana is planning to construct a new 100-bed nursing home at the Indiana State Soldiers' Home, Indianapolis, Ind. Total estimated cost is $2,473,000. Limitation of 10 percent of appropriated funds to any State would require matching funds in more than 1 fiscal year. Preliminary plans have not been reviewed by VA.

(e) Michigan plans construction of approximately 260 new nursing care beds.[1] Preliminary architectural work is underway. Letter of intention only has been submitted.

4. As of the current date, indicate States and homes where, the $3.50 rate for nursing care is being paid and the number of patients at each station.

[1] At Michigan Veterans' Facility in Grand Rapids.

Remarks

State	State home	Number of patients remaining, May 31, 1965
California	Veterans' Home of California, Napa County, Calif	[1] 53
Indiana	Indiana State Soldiers' Home, Lafayette, Ind	[1] 66
Massachusetts	Soldiers' Home, Chelsea, Mass	[1] 43
New Hampshire	New Hampshire Soldiers' Home, Tilton, N.H	[1] 9
New Jersey	New Jersey Home for Disabled Soldiers, Menlo Park, N.J	[1] 15
New York	New York State Women's Relief Corps Home, Oxford, N.Y	[1] 3
Oklahoma	Oklahoma State War Veterans' Home, Facility, Sulphur, Okla	[1] 40
Rhode Island	Rhode Island Veterans' Home, Bristol, R.I	[1] 133
Washington	Washington Veterans' Home, Retsil, Wash	[1] 58
	Total, 9 State homes	[1] 420

[1] At $3.50 rate.

VETERANS' ADMINISTRATION,
ADMINISTRATOR OF VETERANS' AFFAIRS,
Washington, D.C., June 30, 1965.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: This responds to the recent oral request for information on the amounts requested by the Veterans' Administration and the amounts included in the budget estimates for fiscal years 1965 and 1966, respectively, to provide funds for outplacement nursing home care as authorized by section 2 of Public Law 88-450 (38 U.S.C. 620).

The Veterans' Administration asked the Budget Bureau to include in a supplemental request $1,911,000 to implement nursing care on outpatient basis for 1965 and $19,710,000 for this purpose in fiscal year 1966. No funds were provided specifically for this purpose in fiscal year 1965, and $8 million is included in the fiscal year 1966 budget, now under consideration by the Congress.

Within available funds during fiscal year 1965, we have been able to begin the implementation of this program on a modest basis.

Sincerely,

A. H. MONK,
Associate Deputy Administrator.

Hospital, domiciliary, and nursing-care listings

Hospitals and domiciliaries	Operating beds, July 31, 1965	Percent bed occupancy, July 1965	Average daily patient load, July 1965	Waiting list, July 31, 1965	Number of discharges, July 1965	Average monthly turnover rate, July 1965	Admissions, July 1965, total
Total	1,197	71.4	855	93	58	6.8	267
Alexandria, La	80	81.3	65	2	1	1.5	29
Aspinwall, Pa	36	80.6	29		2	6.9	4
Beckley, W. Va	42	33.3	14		2	14.3	16
Bonham, Tex	38	52.6	20				1
Brockton, Mass	30	86.7	26		2	7.7	6
Buffalo, N.Y	36	94.4	34		2	5.9	2
Butler, Pa	64	79.7	51		1	2.0	57
Cheyenne, Wyo	30	20.0	6				3
Chicago, Ill. (West Side)	20	70.0	14		5	35.7	3
Cincinnati, Ohio	27	100.0	27				27
Dayton, Ohio	30	66.7	20		2	10.0	5
Dublin, Ga	56	94.6	53	5	3	5.7	2
Fargo, N. Dak	50	54.0	27	10			1
Fayetteville, N.C	30	83.3	25	2	2	8.0	11
Houston, Tex	40	77.5	31		9	29.0	20
Indianapolis, Ind	46	76.1	35	2	5	14.3	13
Kecoughtan, Va	41	92.7	38	56			5
Lebanon, Pa	37	83.8	31		4	12.9	3
Livermore, Calif	36	41.7	15	16	1	6.7	6
Los Angeles, Calif	71	81.7	58		5	8.6	17
Manchester, N.H	30	10.0	3				5
Mountain Home, Tenn	58	98.3	57		5	8.8	5
Poplar Bluff, Mo	49	69.4	34				21
Reno, Nev	22	100.0	22				
Sepulveda, Calif	30	50.0	15		1	6.7	3
Togus, Maine	40	22.5	9				6
Wadsworth, Kans	45	93.3	42		4	9.5	7
Wilmington, Del	39	28.2	11				19
Wood, Wis	44	95.5	42		2	4.8	1

NOTE.—There were no applications for admissions received, July 1965.

VA patient admissions to community nursing homes, Apr. 1 through July 31, 1965

Hospital from which patient was admitted	Admissions to nursing home				
	April	May	June	July	Total
Total	36	58	170	306	570
Bedford, Mass			4		4
Chillicothe, Ohio				3	3
Fort Lyon, Colo				3	3
Gulfport, Miss			7	6	13
Jefferson Barracks, Mo				1	1
Lexington, Ky				3	3
Northport, N.Y				5	5
Roseburg, Oreg				1	1
Sepulveda, Calif				2	2
St. Cloud, Minn				1	1
Togus, Maine	3	1			4
Topeka, Kans			1	2	3
Albany, N.Y	4	2		6	12
Albuquerque, N. Mex				1	1
Amarillo, Tex				3	3
Atlanta, Ga				2	2
Augusta, Ga				2	2
Baltimore, Md				2	2
Batavia, N.Y				3	3
Bath, N.Y				1	1
Bay Pines, Fla			12	14	26
Big Spring, Tex			2	1	3
Birmingham, Ala				1	1
Bonham, Tex		1	1	2	4
Boston, Mass		4	14	16	34
Bronx, N.Y		4	1	1	6
Brooklyn, N.Y		3	11	9	23
Buffalo, N.Y		1	1	4	6
Cheyenne, Wyo				1	1
Chicago, Ill. (West Side)				1	1
Chicago, Ill. (research)			2	2	4
Cincinnati, Ohio				1	1
Clarksburg, W. Va				1	1
Columbia, S.C			1	2	3
Coral Gables, Fla			14	24	38
Dallas, Tex	7	9	8	6	30
Dearborn, Mich				1	1
Denver, Colo			6	5	11
Des Moines, Iowa				1	1
Dublin, Ga				3	3
Dwight, Ill				2	2
Fargo, N. Dak				2	2
Fort Harrison, Mont				4	4
Fort Howard, Md				3	3
Fresno, Calif			2	7	9
Houston, Tex		13	3	7	23

VA patient admissions to community nursing homes, Apr. 1 through July 31, 1965—Continued

Hospital from which patient was admitted	Admissions to nursing home				
	April	May	June	July	Total
Huntington, W. Va		2	2	5	9
Iowa City, Iowa			1	2	3
Kansas City, Mo			4	4	8
Lake City, Fla			17	1	18
Little Rock, Ark			4	7	11
Louisville, Ky				8	8
Madison, Wis				1	1
Manchester, N.H				2	2
Marlin, Tex				1	1
Martinez, Calif			2	2	4
Memphis, Tenn			1		1
Minneapolis, Minn				5	5
Montgomery, Ala				1	1
Muskogee, Okla	8	4	5	3	20
Nashville, Tenn	1	2	6	13	22
Newington, Conn	1	4		1	6
New York, N.Y			3		3
Oklahoma City, Okla		1	7	4	12
Palo Alto, Calif			2	6	8
Philadelphia, Pa			1	6	7
Phoenix, Ariz				1	1
Providence, R.I	1	4	5	1	11
Richmond, Va			1	4	5
Rutland Heights, Mass				2	2
San Fernando, Calif				1	1
San Francisco, Calif			1		1
San Juan, P.R			8	8	16
Seattle, Wash				3	3
Shreveport, La	10	1	1		12
Sioux Falls, S. Dak				1	1
Syracuse, N.Y				1	1
Temple, Tex				19	19
Tucson, Ariz				2	2
Vancouver, Wash				1	1
Washington, D.C			5	1	6
West Haven, Conn			2	3	5
West Roxbury, Mass	1				1
Wilkes-Barre, Pa		1	1	3	5
Wilmington, Del		1	1		2
Wood, Wis				15	15

VA patients remaining in community nursing homes, July 31, 1965

Clinic of jurisdiction	Remaining at end of month
Total	470
VARO, Montgomery, Ala	1
VAH, Phoenix, Ariz	3
VAH, Little Rock, Ark	11
VAOPC, Los Angeles, Calif	3
VAH, San Francisco, Calif	20
VAH, Denver, Colo	11
VAH, Newington, Conn	9
VAH, Wilmington, Del	1
VAH, Washington, D.C	4
VARO, St. Petersburg, Fla	81
VARO, Atlanta, Ga	6
VAH, Chicago, Ill. (West Side)	6
VARO, Indianapolis, Ind	5
VAC, Des Moines, Iowa	4
VAC, Wichita, Kans	2
VARO, Louisville, Ky	5
VAC, Shreveport, La	9
VAC, Togus, Maine	3
VARO, Baltimore, Md	4
VAOPC, Boston, Mass	31
VAH, Dearborn, Mich	1
VAC, St. Paul, Minn	5
VAH, Kansas City, Mo	5
VAH, St. Louis, Mo	2
VAC, Fort Harrison, Mont	4
VAH, Manchester, N.H	2
VARO, Newark, N.J	4
VAH, Albuquerque, N. Mex	1
VAH, Albany, N.Y	12
VAH, Buffalo, N.Y	8
VARO, New York, N.Y	32
VARO, Syracuse, N.Y	1
VAC, Fargo, N. Dak	2
VAH, Cincinnati, Ohio	4
VARO, Muskogee, Okla	23
VARO, Portland, Oreg	1
VAOPC, Philadelphia, Pa	6
VAH, Wilkes-Barre, Pa	3
VAC, San Juan, P.R	10
VARO, Providence, R.I	10
VARO, Columbia, S.C	3
VAC, Sioux Falls, S. Dak	1
VAH, Nashville, Tenn	18
VAH, Dallas, Tex	19
VAH, Houston, Tex	16
VARO, Lubbock, Tex	6
VARO, Waco, Tex	20
VARO, Roanoke, Va	3
VAH, Seattle, Wash	4
VAH, Huntington, W. Va	10
VARO, Milwaukee, Wis	14
VAC, Cheyenne, Wyo	1

VETERAN POPULATION—AGE, REGIONAL OFFICE, PERIOD OF SERVICE, STATE OF RESIDENCE, JUNE 1965

Estimated age of veterans in civil life, June 30, 1965

[In thousands]

Age in 1965 (in years)	All veterans	War veterans						Peacetime veterans [3]
		Total [1]	World War II	Korean conflict		World War I	Spanish-American War	
				Total [2]	No service in World War II			
All ages	21,834	21,673	14,969	5,718	4,568	2,121	15	161
Under 20	(4)							(4)
20 to 24	13							13
25 to 29	314	275		275	275			39
30 to 34	2,458	2,426	1	2,426	2,425			32
35 to 39	3,967	3,944	2,189	2,071	1,755			23
40 to 44	5,137	5,126	5,036	485	90			11
45 to 49	4,036	4,022	4,006	265	16			14
50 to 54	2,059	2,050	2,043	114	7			9
55 to 59	1,152	1,145	1,145	52	(4)			7
60 to 64	387	381	369	21	(4)	12		6
65 to 69	958	954	153	7		801		4
70 to 74	996	995	20	2		975		1
75 to 79	317	316	5	(4)		311	(4)	1
80 to 84	23	22	2			18	2	1
85 and over	17	17	(4)			4	13	(4)
Average age [5]	45.8	45.9	45.9	35.9	33.9	70.9	87.1	37.7

[1] Veterans with service in both World War II and the Korean conflict are counted once. Includes 8 Indian wars veterans—average age, 92.8 years.
[2] Includes 1,150,000 veterans who served in both World War II and the Korean conflict.
[3] Includes only those peacetime ex-service men and women receiving VA compensation for service-connected disability.
[4] Less than 500.
[5] Computed from data in 1-year age groups.

Estimated number of veterans in civil life, by State, June 30, 1965

[In thousands]

State	All veterans	War veterans						Peacetime veterans [3]
		Total [1]	World War II [2]	Korean conflict		World War I	Spanish-American War	
				Total [2]	No service in World War II			
Total	21,834	21,673	14,969	5,718	4,568	2,121	15	161
State total	21,709	21,551	14,912	5,666	4,525	2,100	14	158
Alabama	316	313	214	89	70	29	(4)	3
Alaska	21	21	15	7	5	1	(4)	(4)
Arizona	176	174	120	49	37	17	(4)	2
Arkansas	173	171	119	37	28	24	(4)	2
California	2,299	2,282	1,583	679	499	198	2	17
Colorado	226	223	154	63	48	21	(4)	3
Connecticut	351	349	246	92	73	30	(4)	2
Delaware	56	56	40	15	12	4	(4)	(4)
District of Columbia	97	96	62	30	22	12	(4)	1
Florida	705	699	473	183	133	92	1	6
Georgia	381	377	264	104	82	31	(4)	4
Hawaii	47	46	31	16	12	3	(4)	1
Idaho	74	73	51	18	14	8	(4)	1
Illinois	1,266	1,261	871	317	265	124	1	5
Indiana	550	547	368	146	123	55	1	3
Iowa	303	302	196	78	67	39	(4)	1
Kansas	246	245	167	62	49	29	(4)	1
Kentucky	302	300	206	76	62	32	(4)	2
Louisiana	331	328	232	83	66	30	(4)	3
Maine	109	108	73	27	22	13	(4)	1
Maryland	410	407	288	114	88	31	(4)	3
Massachusetts	686	679	468	174	139	71	1	7
Michigan	920	914	629	238	202	82	1	6
Minnesota	402	399	261	108	90	48	(4)	3
Mississippi	180	178	125	42	32	21	(4)	2
Missouri	516	513	344	133	107	61	1	3
Montana	80	79	54	20	16	9	(4)	1
Nebraska	150	149	97	41	34	18	(4)	1
Nevada	49	49	35	15	10	4	(4)	(4)
New Hampshire	80	79	54	21	17	8	(4)	1
New Jersey	857	851	602	211	174	74	1	6
New Mexico	106	105	73	31	24	8	(4)	1
New York	2,119	2,105	1,473	513	432	199	1	14
North Carolina	429	425	297	113	93	35	(4)	4
North Dakota	53	53	34	15	13	6	(4)	(4)
Ohio	1,212	1,205	843	308	258	103	1	7
Oklahoma	268	266	181	69	52	33	(4)	2
Oregon	239	237	165	56	43	29	(4)	2
Pennsylvania	1,438	1,429	1,015	346	283	130	1	9
Rhode Island	111	110	77	28	22	11	(4)	1
South Carolina	210	208	145	57	45	18	(4)	2
South Dakota	68	68	43	19	16	9	(4)	(4)
Tennessee	377	374	259	97	79	36	(4)	3
Texas	1,088	1,079	763	283	219	96	1	9
Utah	102	101	68	31	25	8	(4)	1
Vermont	42	42	28	12	9	5	(4)	(4)
Virginia	438	434	307	124	92	35	(4)	4
Washington	366	363	247	99	74	41	1	3
West Virginia	196	194	134	48	39	21	(4)	2
Wisconsin	445	442	289	118	100	53	(4)	3
Wyoming	43	43	29	11	9	5	(4)	(4)
Outside United States, total [5]	125	122	57	52	43	21	1	3

[1] Veterans with service in both World War II and the Korean conflict are counted only once. Includes 8 Indian wars veterans.

[2] Includes 1,150,000 veterans who served in both World War II and the Korean conflict.

[3] Includes only those peacetime ex-service men and women receiving VA compensation for service-connected disability.

[4] Less than 500.

[5] Includes Commonwealth of Puerto Rico, U.S. possessions and outlying areas, as well as foreign countries.

NOTE.—These estimates are based on benchmark veteran population statistics for the States as of June 1960, developed from 1960 Census of Population data on veterans place of residence, up-dated to June 1965 on the basis of (1) 1960 Census of Population data on veteran interstate migration from 1955 to 1960; (2) Bureau of the Census data on 1960–64 (preliminary for 1963–64) civilian population migration which were used in preparing estimates of the population of States for July 1, 1964 (Current Population Reports, Population Estimates, Series 25, No. 289, Bureau of the Census, Aug. 31, 1964); and (3) published and unpublished Bureau of the Census estimates of annual U.S. population mobility, by sex and age, 1960–65. These State veteran population estimates are consistent with similar estimates for June 30, 1960, and June 30 and Dec. 31, 1964. They are independent of, and therefore not strictly comparable with, estimates for other dates since June 30, 1960. (The 1960 veteran population benchmark estimates have been published in Research Monograph 7, County Veteran Population, June 30, 1960, Research Statistics Service, Office of Controller, Veterans' Administration.)

Estimated number of veterans in civil life, by regional office, June 30, 1965

[In thousands]

Regional office (State and city)	All veterans	War veterans						Peacetime veterans [3]
		Total [1]	World War II [2]	Korean conflict		World War I	Spanish-American War	
				Total [2]	No service in World War II			
Total	21,834	21,673	14,969	5,718	4,568	2,121	15	161
Alabama: Montgomery	316	313	214	89	70	29	(4)	3
Alaska: Juneau	21	21	15	7	5	1	(4)	(4)
Arizona: Phoenix	176	174	120	49	37	17	(4)	2
Arkansas: Little Rock	176	174	122	38	28	24	(4)	2
California:								
Los Angeles	1,427	1,417	983	430	315	118	1	10
San Francisco	890	883	613	255	188	81	1	7
Colorado: Denver	226	223	154	63	48	21	(4)	3
Connecticut: Hartford	351	349	246	92	73	30	(4)	2
Delaware: Wilmington	56	56	40	15	12	4	(4)	(4)
District of Columbia: Washington	276	273	194	83	57	22	(4)	3
Florida: St. Petersburg	705	699	473	183	133	92	1	6
Georgia: Atlanta	381	377	264	104	82	31	(4)	4
Hawaii: Honolulu	47	46	31	16	12	3	(4)	1
Idaho: Boise	74	73	51	18	14	8	(4)	1
Illinois: Chicago	1,348	1,343	928	339	284	130	1	5
Indiana: Indianapolis	468	465	311	124	104	49	1	3
Iowa: Des Moines	303	302	196	78	67	39	(4)	1
Kansas: Wichita	180	179	121	45	36	22	(4)	1
Kentucky: Louisville	302	300	206	76	62	32	(4)	2
Louisiana:								
New Orleans	239	237	167	62	50	20	(4)	2
Shreveport	92	91	65	21	16	10	(4)	1
Maine: Togus	109	108	74	27	22	13	(4)	1
Maryland: Baltimore	305	303	210	85	68	25	(4)	2
Massachusetts: Boston	624	617	425	159	127	64	1	7
Michigan: Detroit	920	914	629	238	202	82	1	6
Minnesota: St. Paul	376	373	244	102	85	44	(4)	3

See footnotes at end of table.

Estimated number of veterans in civil life, by regional office, June 30, 1965—Continued

[In thousands]

Regional office (State and city)	All veterans	War veterans						Peacetime veterans [3]
		Total [1]	World War II [2]	Korean conflict		World War I	Spanish-American War	
				Total [2]	No service in World War II			
Mississippi: Jackson	180	178	125	42	32	21	(4)	2
Missouri:								
Kansas City	273	272	185	70	54	33	(4)	1
St. Louis	309	307	205	80	66	35	1	2
Montana: Fort Harrison	80	79	54	20	16	9	(4)	1
Nebraska: Lincoln	150	149	97	41	34	18	(4)	1
Nevada: Reno	31	31	22	9	6	3	(4)	(4)
New Hampshire: Manchester	80	79	54	21	17	8	(4)	1
New Jersey: Newark	857	851	602	211	174	74	1	6
New Mexico: Albuquerque	106	105	73	31	24	8	(4)	1
New York:								
Albany	197	196	137	45	38	21	(4)	1
Brooklyn	310	307	207	80	71	29	(4)	3
Buffalo	316	314	217	80	67	30	(4)	2
New York	1,077	1,070	761	251	209	99	1	7
Syracuse	219	218	151	57	47	20	(4)	1
North Carolina: Winston-Salem	429	425	297	113	93	35	(4)	4
North Dakota: Fargo	79	79	51	21	18	10	(4)	(4)
Ohio:								
Cincinnati	539	535	373	139	116	46	(4)	4
Cleveland	673	670	470	169	142	57	1	3
Oklahoma: Muskogee	268	266	181	69	52	33	(4)	2
Oregon: Portland	239	237	165	56	43	29	(4)	2
Pennsylvania:								
Philadelphia	557	554	392	135	109	52	1	3
Pittsburgh	577	573	410	136	113	50	(4)	4
Wilkes-Barre	327	325	229	81	66	30	(4)	2
Puerto Rico: San Juan	89	87	38	47	41	8	(4)	2
Rhode Island: Providence	173	172	120	43	34	18	(4)	1
South Carolina: Columbia	210	208	145	57	45	18	(4)	2
South Dakota: Sioux Falls	68	68	43	19	16	9	(4)	(4)
Tennessee: Nashville	377	374	259	97	79	36	(4)	3
Texas:								
Houston	287	285	201	76	61	23	(4)	2
Lubbock	173	172	122	47	37	13	(4)	1
San Antonio	186	184	130	50	37	17	(4)	2
Waco	435	435	307	109	84	43	1	4
Utah: Salt Lake City	102	101	68	31	25	8	(4)	1
Vermont: White River Junction	42	42	28	12	9	5	(4)	(4)
Virginia: Roanoke	364	361	253	100	77	31	(4)	3
Washington: Seattle	366	363	247	99	74	41	1	3
West Virginia: Huntington	173	171	118	42	34	19	(4)	2
Wisconsin: Milwaukee	445	442	289	118	100	53	(4)	3
Wyoming: Cheyenne	43	43	29	11	9	5	(4)	(4)
Philippines: Manila	19	18	13	2	1	3	1	1
All other [5]	17	17	6	3	1	10	(4)	(4)

[1] Veterans with service in both World War II and the Korean conflict are counted only once. Includes 8 Indian wars veterans.
[2] Includes 1,150,000 veterans who served in both World War II and the Korean conflict.
[3] Includes only those peacetime ex-service men and women receiving VA compensation for service-connected disability.
[4] Less than 500.
[5] Outside regional office areas.

See note at end of previous table.

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

Mr. Speaker, I am happy to rise in support of H.R. 168. This measure will provide a well-deserved increase in the basic rates of monthly compensation for service-connected disabilities. It will increase the dependency allowances paid to seriously disabled veterans on behalf of wives and minor children. It will liberalize the income limitations that control the payment of dependency and indemnity compensation to dependent parents of veterans or servicemen whose deaths were service connected.

The philosophy has repeatedly been voiced, Mr. Speaker, that the Nation's service-connected disabled and their survivors are deserving of our highest priority consideration. In fact, this philosophy is the policy of the Committee on Veterans' Affairs. The bill before the House today represents the continuing implementation of that policy. It is a bill that recognizes that the Nation's disabled veteran is also affected by the rising cost of living.

In testimony presented to our committee, spokesmen for the administration recommended a measure that failed to provide any increase for the 80-percent disabled, the 70-percent disabled, or the 10-percent disabled veterans. I am happy to report that the committee rejected this recommendation.

The bill before you today will provide increases in compensation for all percentage ratings from 10 percent through 100 percent. In addition, the more seriously disabled suffering from multiple amputations or loss of use of more than one extremity or blindness will receive an increase in their so-called statutory award. Almost 2 million disabled veterans will share in monthly increases ranging from $1 for the 10-percent disability to $50 for the 100-percent disability.

Section 2 of the bill will provide an approximate 10-percent increase in the allowances for dependents payable to veterans who are at least 50 percent disabled. This allowance was last increased in 1957. The dependency allowance is normally paid on behalf of a child until the child reaches the age of 18 years. In the case of a child attending school, the allowance is continued to age 21. H.R. 168 will extend the age limit to 23 years for a child attending school and at the same time increase the monthly payment on behalf of a child in school to $40 in the case of a totally disabled veteran. Those with disabilities rated at 50 through 90 percent would receive proportionate increases.

This provision, Mr. Speaker, should provide some additional stimulus for children of seriously disabled veterans to remain in school. Another section of the bill will increase the income limits which determine eligibility of dependent parents for dependency and indemnity compensation payments. When a young unmarried serviceman is killed in Vietnam today, his parents must have a combined income of less than $2,400 annually to qualify for monthly payments from the Veterans' Administration. The bill before you today will increase this limitation to $3,000, thus permitting parents to more easily qualify for monthly benefits based upon the death of a son in service.

The bill also contains a number of miscellaneous provisions which represent either clarification of existing law or relatively minor revisions of existing law. The bill contains two provisions

relating to the Veterans' Administration nursing care program. Despite the fact that the Congress authorized 4,000 nursing care beds in additions to the existing hospital beds, the Veterans' Administration and the Bureau of the Budget interpreted our action to mean that the 4,000 nursing care beds were included within the 125,000-bed ceiling.

Should this provision become law, the Veterans' Administration, of course, would have great difficulty in constructing nursing care beds at the expense of beds already devoted to active medical care.

The other provision should encourage States to participate in the veterans' nursing care program. You will recall that the nursing care legislation from the 88th Congress authorizing the appropriation of $5 million annually to be disbursed to States on an equal matching fund basis for the construction of nursing care beds for veterans. Under the terms of the legislation, not more than 10 percent of the total $5 million appropriation could be utilized in any one State. A very stringent limitation on the maximum number of beds that could be constructed in any one State was based on the veteran population within the State. As a result, many of the smaller States were limited to 28 or 30 nursing care beds under this program. Apparently, because of these limitations, the Veterans' Administration has received no formal applications for construction funds. Because there were no takers, the appropriation of $5 million has been trimmed to $2½ million for the current fiscal year.

In an effort to provide additional incentive to States to participate in this program, H.R. 168 removes the dollar limitation per State and revises the ceiling on the number of beds that could be allocated to any one State.

Mr. Speaker, I believe this bill represents an equitable adjustment in the rates of compensation for service-connected disability. It also provides other needed changes in existing law. I urge my colleagues to support it.

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

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

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding. Perhaps I am not conversant with this bill, but a raise of $1 per month, from $20 to $21, for a 10-percent disabled veteran would scarcely be a cost-of-living increase as related to 1933.

Mr. ADAIR. I would say to the gentleman that the last cost-of-living increase we had for the service-connected disabled was in 1962, while the last increase in dependency allowances was in 1957. The cost of living has increased 2.5 percent and 10.3 percent since those dates. Since 1933 there has been a 141 percent increase in the cost of living and a 126-percent increase in compensation rates. The proposed overall average increase would more closely establish comparability between these two figures. It was the committee's feeling that the more seriously disabled veteran should receive a substantial increase. In order to accomplish this purpose it became necessary to vary the percentage increase at each disability level. Consequently, the 10-percent disabled veteran will receive a 5-percent increase while the 100-percent disabled veteran will receive a 20-percent increase. So although those at the lower level are getting in most cases something less than the average 10 percent, those with serious disabilities will receive more than that figure. None, however, will receive less than the percentage increase in the cost of living since 1962, the year that the rates of compensation were last increased.

Mr. GROSS. I thought that was probably the case. We have gone into that compression in connection with pay increases for Federal employees. I thought that was probably the case, but I think it is something of a misnomer to say this is a cost-of-living bill when the increase is $1 from $20 to $21 and $2 per month, from $38 to $40, with a 20 percent disability.

Mr. ADAIR. Perhaps we should emphasize the remarks made earlier, that it is a modest increase and one which, therefore, we think every person in this body will want to support. The gentleman is well aware that if we do give larger increases, the dollar cost mounts very rapidly. I may say to the gentleman that we were under some pressure from the Veterans' Administration and the Bureau of the Budget to keep the dollar cost of this to a reasonable figure, and we have done so, while providing, at the same time, a reasonable increase in compensation rates, particularly to those who are seriously disabled.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, as long as we are going to try to police the world. I assume that these bills for veterans will only get larger. I happen to be one of those who believes we ought to be withdrawing our troops from at least some of the areas of the world and letting those people take on their own policing obligations. In that way we should be able to reduce the necessity for some of this spending.

Mr. ADAIR. Mr. Speaker, I would have to respond to the gentleman by saying that certainly as long as hostilities do continue throughout the world we are bound to have greater expenditures for veterans' benefits. I feel that we have an obligation to do the best we can to take care of them.

Mr. GROSS. Mr. Speaker, I will say to the gentleman that I am thinking in terms of Europe. I believe the non-Communist nations of Europe have the ability financially and otherwise to take care of their own defenses. We ought to get our troops back from Europe.

Mr. ADAIR. Certainly I would find myself in agreement with the gentleman that we ought to look to other nations of the world to carry a greater share of the load of taking care of themselves and, indeed, taking a greater share of the load of assisting underdeveloped nations.

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

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

Mr. HOSMER. Mr. Speaker, I am concerned about the situation where the recent increase in social security benefits has resulted in one amount which is much smaller than the amount of veterans' benefits that are lost by the social security recipients' increases in social security. Could the gentleman explain whether or not something is being done about that?

Mr. ADAIR. I would say to the gentleman that this is a matter which is very much before the committee and is receiving study. This bill, being a compensation bill, does not go to that point. We are aware of the inequity of which the gentleman speaks, and the committee is studying it and working on it.

Mr. HOSMER. I thank the gentleman, because it does concern a large number of veterans, and something should be done about it.

Mr. ADAIR. The gentleman is correct.

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

Mr. HALPERN. Mr. Speaker, in this session of the 89th Congress, we have passed a great number of bills designed to enhance the quality of life in America and to make the boundless opportunities of America more fully available to all her citizens. We have endeavored to provide more security for our senior citizens, better housing for those living in substandard dwellings, and a greater promise of higher education for our young. But none of this would be possible if it were not for the past sacrifices of today's veterans—sacrifices which kept America free and secure.

It is therefore, most appropriate that in our strivings to advance our society, we remember the efforts of those who saved our society by their dedication, endurance, and countless acts of courage. The bill before us today, which I was privileged to cosponsor, takes into account the special sacrifices of a class of these veterans—those who were disabled in the service of their country.

This bill increases the rate of compensation to disabled veterans, to bring this compensation up to date with the increased cost of living. Rates of compensation for service-disabled veterans were last increased in 1962, since which time, the cost of living has increased some 2½ percent. In addition, the bill increases dependency allowances, which were last adjusted in 1957, when the cost of living was 10.3 percent lower than it is today.

Thus, the main object of this bill is to alter these rates of compensation to keep them realistic, and in accord with the changed purchasing power of the dollar.

This is indeed a modest measure. It is not designed to reward those who suffered injury or sustained disease in their service to this Nation, for those men are above seeking rewards for having done what they viewed as their duty, as Members of Congress, to compensate these veterans for lost earning power attributable to their service-connected disabilities.

Other provisions of the bill would adjust indemnity payments to the par-

ents of those who died as a result of their service in the Armed Forces, and permit children of disabled veterans to continue their education to the age of 23 without losing their dependency status. Finally, the bill will substantially increase the number of nursing care beds which will be available to veterans, by changing the formula to 1½ beds per 1,000 veterans in each State, rather than the present one-half bed per 1,000.

As a member of the House Committee on Veterans' Affairs, I followed this legislation most closely, and studied it in depth. I believe the bill corrects many existing inequities and evidences the real concern which exists in this Congress for the welfare of our disabled veterans. I therefore strongly urge all my colleagues to support this bill designed to give a fair break to our veterans who have given so much to our country.

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

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

There was no objection.

Mr. RANDALL. Mr. Speaker, I rise in support of H.R. 168, which provides a 10-percent average cost-of-living increase in disability compensation payments for veterans having service-connected disabilities, for their dependents, and for parents upon whom they are dependent.

The 11 sections of this proposed bill are necessary, and merit the support of every Member of this House, yet the bill should also evoke some opposition because of what it does not do.

We note with some dismay that H.R. 168 contains section 8, permitting the Federal Government to defend physicians, dentists, and nurses in the Department of Medicine and Surgery of the VA in the event a malpractice suit is brought against them. Let me hasten to add I find no objection to the substantive content of section 8, but it should be observed and also emphasized that this section was originally a part of H.R. 202, the bill previously reported by the committee to require congressional approval in advance of any future closings or major modifications of VA facilities. Let us all hope that the shifting of this section from one reported bill to another is not a sign that the Veterans' Affairs Committee is going to give up its fight against needless and foolish "economizing" at the expense of the American veteran. H.R. 202 is a good bill, and ought to be enacted before the 89th Congress adjourns next year.

Section 10 of this bill is also illustrative of the difficulties faced by the veteran in trying to secure the measure and quality of medical care due to him.

In August of 1964, the Congress passed Public Law 88-450, authorizing 4,000 nursing care beds in addition to the presidentially established ceiling of 125,000 authorized veterans' hospital beds. Since that time, the Bureau of the Budget has contended, over the unanimous objections of the congressional committee which drafted the law, that the intent of Congress was to include these 4,000 new beds within the 125,000-bed ceiling. In other words, despite the clear and contrary position of the Veterans' Affairs Committee as to the intent of Congress, the bureaucrats at the Bureau of the Budget have unilaterally attempted to reduce the hospital bed ceiling from 125,000 to 121,000 beds.

Apparently the only way the Congress can make its intent clear to those mental giants in the executive branch of our Government is to write exceedingly detailed statutory language that provides for no assumption of basic intelligence and leaves absolutely no discretion to those bureaucrats who have in the past repeatedly interpreted language in legislation to be adverse to the veteran. Thus the committee has had to include section 10(b), which states explicitly that the 4,000 nursing care beds shall be in addition to the 125,000 bed ceiling for hospital beds, and section 10(a) which makes the ceiling of 125,000 beds statutory in the form of a minimum number of hospital beds the VA Administrator is authorized to establish and operate.

Mr. Speaker, on August 27, less than 2 weeks ago, 279,000 veterans of western Missouri and eastern Kansas marked that day as a bleak and dreary one. The VA regional office at Kansas City, a vital institution that had served that area for more than 40 years, was transformed into an impersonal, mechanized mail-order service.

In connection with the closing of this office that had served the people of two States since 1924, I made the observation that the only rejoicing over this closing would come from the super-bookkeepers in the Bureau of the Budget. I also made the observation that the veteran seemed to be the truly forgotten man in the Great Society.

Yet no matter how critical I may be of those in the executive branch who seem intent on shortchanging the veteran, to be fair and objective, I must hail H.R. 168 as a step in the right direction. The chairman of the House Veterans' Affairs Committee certainly deserves the commendation of all Members for his leadership in reporting out H.R. 168. As I indicated earlier some of its provisions may be subject to question but it is a forthright effort to increase the rates of service-connected disability compensation to correspond with the increase in the cost to live. The record will show that the chairman of the House Veterans' Affairs Committee introduced this measure as long ago as January 4, 1965. Quite sensibly it proposes an approximate 10-percent increase in the compensation payable to disabled veterans and quite appropriately provides a somewhat greater increase for those veterans with a rating of more than 50-percent disability.

Chairman TEAGUE'S proposals make sense. Our move today on the House side of the Congress should be quickly concurred in by the other body. This effort certainly deserves the full and complete support of the executive branch. Surely this administration which has proposed funds for so many new and different programs can find the means to increase the rate of disability compensation by enough to equal the rise in the cost of living. Until H.R. 168 together with several other much needed bills are enacted into law there should be less talk from VA about the full and complete care being given our veterans.

Mr. ROBERTS. Mr. Speaker, I rise in support of H.R. 168 introduced by the distinguished chairman of the Veterans' Affairs Committee, the Honorable OLIN E. TEAGUE. This bill is similar to my bill, H.R. 10391. As a combat veteran, I am pleased that the Committee on Veterans' Affairs has reported this bill and recommended its passage.

Mr. Speaker, Congress has long recognized the sacrifices made by our veterans who have sustained disability as a result of service in the Armed Forces of this great Nation. We have sought to provide them compensation in the form of financial remuneration and to provide adequate hospitals and medical facilities. The present system of disability compensation dates back to 1933 under the Roosevelt administration. Rates of compensation for our service-disabled veterans were last increased in 1962.

H.R. 168 proposes a 10-percent increase in the compensation payments to our disabled veterans adjusted to the nearest dollar. These increases are designed to compensate for the increases in the cost of living. The figures recommended by the committee will bring our rates of compensation more closely in line with increased living costs.

I support this bill because I believe that there is no greater service than service to our country. We must assist our fellow veterans who have made great sacrifices for the sake of preserving our Nation and our way of life. I strongly urge the passage of this bill.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FASCELL. Mr. Speaker, I want to commend the Committee on Veterans' Affairs for reporting the bill H.R. 168, which has been considered and passed by the House of Representatives today, H.R. 168 is identical to my bill, H.R. 10881. I hope this legislation will receive speedy and favorable consideration in the Senate, so that its provisions may be enacted into law during the present session of Congress.

As Members are aware, H.R. 168 will provide for an average 10-percent increase in compensation payments for veterans with service-connected disabilities. The increases will vary from $1 in the case of the 10-percent disabled veteran to $85 in the case of some few very severely disabled veterans who receive special allowances because of the extreme impairment of health which they have suffered. A general increase in compensation payments was last granted in 1957. Certainly, these veterans, whose disabilities were incurred because of their service to this country, are entitled to every consideration possible, and particularly is this so in the case of those who suffered such severe disabilities that

their earning power is seriously impaired.

There are 1,837,591 veterans on the compensation rolls of the Veterans' Administration whose disabilities were incurred in wartime, and a total of 1,934,074 veterans receive compensation payments for disabilities incurred in either wartime or peacetime. At the end of June of this year, 65,554 of these veterans listed Florida as their official residence, and received $65,297,673 during fiscal year 1965 in the form of compensation payments. The increases granted by H.R. 168 will place this figure at over $72 million, since $6.7 million more will go to these particular veterans because of enactment of this legislation.

In addition to increasing the basic compensation payments for service-connected disabled veterans, H.R. 168 would also increase the dependency allowances paid to veterans who are 50 percent or more disabled, and permit payment of this allowance until the dependent child attains the age of 23 if the child is pursuing a course of education in an approved educational institution.

Although H.R. 168 is primarily a bill to increase compensation payable to service disabled veterans, there is also included a provision which will benefit dependent parents of servicemen who lost their lives because of service in the armed forces, that is those dependent parents who receive dependency and indemnity compensation payments. H.R. 168 raises the income limitations applicable to this group of beneficiaries, and the effect of this action will be to provide increases for many who presently receive these payments, as well as to extend eligibility to certain parents who do not now qualify to receive these payments because their income is in excess of the maximum allowable under the law.

Mr. Speaker, I hope that H.R. 168 will soon be enacted into law.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill H.R. 168, as amended?

Mr. TEAGUE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The SPEAKER pro tempore. The question is on the motion to suspend the rules and pass the bill H.R. 168.

The question was taken and the Speaker pro tempore announced in the opinion of the Chair two-thirds had voted in the affirmative.

Mr. ADAIR. 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 348, nays 0, answered "present" 2, not voting 82, as follows:

[Roll No. 264]

YEAS—348

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baldwin
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Bingham
Blatnik
Boggs
Boland
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Carter
Casey
Cederberg
Celler
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Cooley
Corbett
Cramer
Culver
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dyal
Edmondson
Edwards, Calif.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Findley
Fino
Fisher
Flynt
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hunt
Ichord
Irwin
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kelly
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McVicker
Machen
Mackay
Mahon
Mailliard
Marsh
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Meeds
Miller
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
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.
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Passman
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Pirnie
Poff
Pool
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roudebush
Roush
Roybal
Rumsfeld
Satterfield
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Trimble
Tupper
Tuten
Udall
Ullman
Utt
Vigorito
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Widnall
Willis
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger

NAYS—0

ANSWERED "PRESENT"—2

Michel
Williams

NOT VOTING—82

Andrews, George W.
Ashbrook
Ashmore
Bandstra
Baring
Barrett
Berry
Bolling
Bolton
Bonner
Cameron
Carey
Chamberlain
Chelf
Clawson, Del
Clevenger
Corman
Craley
Cunningham
Curtis
Derwinski
Diggs
Dwyer
Edwards, Ala.
Ellsworth
Feighan
Flood
Frelinghuysen
Fulton, Tenn.
Goodell
Grabowski
Griffiths
Halpern
Hanna
Hébert
Hungate
Hutchinson
Jacobs
Kee
Keogh
Kornegay
Landrum
Lindsay
McMillan
Macdonald
MacGregor
Mackie
Madden
Martin, Ala.
Martin, Mass.
Mills
Nix
O'Neal, Ga.
O'Neill, Mass.
Patman
Pepper
Poage
Powell
Quillen
Reid, Ill.
Reifel
Resnick
Roberts
Roncalio
Roosevelt
Rostenkowski
Ryan
Saylor
Selden
Slack
Stephens
Sweeney
Thomas
Todd
Toll
Tuck
Tunney
Van Deerlin
Vanik
Whitten
Wilson, Charles H.
Zablocki

So (two-thirds having voted in favor thereof) the motion was agreed to.

The Clerk announced the following pairs:

Mr. Keogh with Mr. Martin of Massachusetts.

Mr. Hébert with Mr. Frelinghuysen.

Mr. O'Neill of Massachusetts with Mrs. Bolton.

Mr. Sweeney with Mrs. Dwyer.

Mr. Roncalio with Mr. Cunningham.

Mr. Madden with Mr. Saylor.

Mr. Zablocki with Mr. Berry.

Mr. Mills with Mrs. Reid of Illinois.

Mr. Vanik with Mr. Derwinski.

Mr. Charles H. Wilson with Mr. Del Clawson.

Mr. Feighan with Mr. MacGregor.

Mr. Chelf with Mr. Goodell.

Mr. Cameron with Mr. Chamberlain.

Mr. Fulton of Tennessee with Mr. Curtis.

Mr. Ashmore with Mr. Reifel.

Mr. George W. Andrews with Mr. Hutchinson.

Mr. Slack with Mr. Ashbrook.

Mr. Rostenkowski with Mr. Halpern.

Mr. Toll with Mr. Quillen.

Mr. Tuck with Mr. Martin of Alabama.

Mr. Whitten with Mr. Ellsworth.

Mr. Pepper with Mr. Lindsay.

Mrs. Griffiths with Mr. Edwards of Alabama.

Mr. Kee with Mr. Clevenger.

Mr. Carey with Mr. Jacobs.

Mr. Corman with Mr. Bonner.

Mr. Barrett with Mr. Hungate.

Mr. Diggs with Mr. Ryan.

Mr. Selden with Mr. Roosevelt.

Mr. Todd with Mr. Grabowski.

Mr. Poage with Mr. Hanna.

Mr. Powell with Mr. Macdonald.

Mr. Tunney with Mr. McMillan.

Mr. Mackie with Mr. Thomas.

Mr. Landrum with Mr. Craley.

Mr. Kornegay with Mr. Baring.

Mr. Bandstra with Mr. Nix.

Mr. O'Neal of Georgia with Mr. Resnick.

Mr. Flood with Mr. Stephens.

Mr. Roberts with Mr. Patman.

Mr. Van Deerlin with Mr. Matsunaga.

Mr. WILLIAMS. Mr. Speaker, I am recorded as having voted "yea."

In compliance with rule VIII of the House of Representatives, I ask that my vote be withdrawn and that I be recorded as voting "present."

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "A bill to amend title 38 of the United States Code to provide increases in the rate of disability compensation; and for other purposes."

A motion to reconsider was laid on the table.

EDUCATIONAL ASSISTANCE ALLOWANCES UNDER WAR ORPHANS' EDUCTIONAL ASSISTANCE PROGRAM

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 205 entitled "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," with the Senate amendments thereto and to disagree to Senate amendments numbered 1, 2, and 3, and to concur in Senate amendment No. 5.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "$130", "$95", and "$60", and insert "$150", and "$110", and "$75".

Page 1, line 8, strike out "$105" and insert "$125".

Page 2, line 3, strike out "$130", and "$41", "$41", and "$54.25", and insert "$150", "$50", "$50", and "$5".

Page 2, line 11, strike out "section" and insert "and second sections".

Mr. TEAGUE of Texas. Mr. Speaker, the motion which I have made simply means that the House will return to the rates specified in the bill as originally passed by the House.

This legislation relates entirely to educational assistance for war orphans of veterans who lost their lives in defense of their country, or who are totally disabled.

The rates originally provided when this law was enacted in the 84th Congress as Public Law 84–634 were $110 a month for full-time training, and lesser rates for those taking a proportionate amount of time. The rates passed by the House represent precisely the increase in the cost of living which has occurred since the enactment of the original law. The Senate rates were considerably higher, and I think when all factors are considered, it is desirable that the House rates prevail in view of their relation to the increased cost of living.

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

There was no objection.

Senate amendments Nos. 1, 2, and 3 were disagreed to, and Senate amendment No. 4 was concurred in.

A motion to reconsider was laid on the table.

ASSATEAGUE ISLAND NATIONAL SEASHORE

Mr. RIVERS of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2071) to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes.

The Clerk read as follows:

H.R. 2071

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of protecting and developing Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation use and enjoyment, the Assateague Island National Seashore (hereinafter referred to as the "seashore") shall be established and administered in accordance with the provisions of this Act. The seashore shall comprise the area within Assateague Island and the small marsh islands adjacent thereto, together with the adjacent water areas not more than one-half mile beyond the mean high waterline of the land portions as generally depicted on a map identified as "Proposed Assateague Island National Seashore, Boundary Map, NS–AI–7100A, November 1964"; which map shall be on file and available for public inspection in the offices of the Department of the Interior.

SEC. 2. (a) Within the boundaries of the seashore, the Secretary of the Interior (hereafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or in such other method as he may find to be in the public interest. The Secretary is authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein on the mainland in Worcester County, Maryland, for an administrative site. In the case of acquisition by negotiated purchase, the property owners shall be paid the fair market value by the Secretary. Any property or interests therein owned by the States of Maryland or Virginia shall be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within the boundaries of the seashore and not more than ten acres of Federal property on the mainland in Worcester County, Maryland, may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for purposes of the seashore.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and to not more than ten acres of non-Federal property on the mainland in Worcester County, Maryland, and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary which he classifies as suitable for exchange or other disposal, and which is located in Maryland or Virginia. The properties so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the properties exchanged.

(c) The Secretary is authorized to acquire all of the right, title, or interest of the Chincoteague-Assateague Bridge and Beach Authority, a political subdivision of the State of Virginia, in the bridge constructed by such authority across the Assateague Channel, together with all lands or interests therein, roads, parking lots, buildings, or other real or personal property of such authority, and to compensate the authority in such amount as will permit it to meet its valid outstanding obligations at the time of such acquisition. Payments by the Secretary shall be on such terms and conditions as he shall consider to be in the public interest. Any of the aforesaid property outside the boundaries of the national seashore, upon acquisition by the Secretary, shall be subject to his administration for purposes of the seashore.

(d) Owners of improved property asquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes or for hunting purposes, as hereinafter provided, for a term that is not more than twenty-five years. In such cases, the Secretary shall pay to the owner of the property the fair market value thereof less the fair market value of the right retained by such owner: *Provided*, That such use and occupancy shall be subject to general rules and regulations established by the Secretary with respect to the outward appearance of any buildings on the lands involved. The term "improved property" as used in this Act shall mean (1) any single-family residence the construction of which was begun before January 1, 1964, and such amount of land, not in excess of three acres, on which the building is situated as the Secretary considers reasonably necessary to the noncommercial residential use of the building, and (2) any property fronting on the Chincoteague Bay or Sinepuxent Bay, including the offshore bay islands adjacent thereto, that is used chiefly for hunting and continues in such use: *Provided*, That Secretary may exclude from improved properties any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public use or public access thereto.

SEC. 3. (a) If the bridge from Sandy Point to Assateague Island is operated by the State of Maryland as a toll-free facility, the Secretary is authorized and directed to compensate said State in the amount of two-thirds of the cost of constructing the bridge, including the cost of bridge approaches, engineering, and all other related costs, but the total amount of such compensation shall be not more than $1,000,000; and he is authorized to enter into agreements with the State of Maryland relating to the use and management of the bridge.

(b) The State of Maryland shall have the right to acquire or lease from the United States such lands, or interests therein, on the island north of the area now used as a State park as the State may from time to time determine to be needed for State park purposes, and the Secretary is authorized and directed to convey or lease such lands, or interests therein, to the State for such purposes upon terms and conditions which he deems will assure its public use in harmony with the purposes of this Act. In the event any of such terms and conditions are not complied with, all the property, or any portion thereof, shall, at the option of the Secretary, revert to the United States in its then existing condition. Any lease hereunder shall be for such consideration as the Secretary deems equitable; and any conveyance of title to land hereunder may be made only upon payment by the State of such amounts of money as were expended by the United States to acquire such land, or interests therein, and upon payment of such amounts as will reimburse the United States for the cost of any improvements placed thereon by the United States, including the cost to it of beach protection: *Provided*, That reimbursement for beach protection shall not exceed 30 per centum, as determined by the Secretary, of the total cost of the United States of such protection work.

SEC. 4. When the Secretary determines that land, water areas, or interests therein within

the area generally depicted on the map referred to in section 1 are owned or have been acquired by the United States in sufficient quantities to provide an administrable unit, he shall declare the establishment of the Assateague Island National Seashore by publication of notice thereof in the Federal Register. Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable, and the exterior boundaries shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act.

SEC. 5. The Secretary shall permit hunting and fishing on land and waters under his control within the seashore in accordance with the appropriate State laws, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management or public use and enjoyment: *Provided*, That nothing in this Act shall limit or interfere with the authority of the States to permit or to regulate shellfishing in any waters included in the national seashore: *Provided further*, That nothing in this Act shall add to or limit the authority of the Federal Government in its administration of Federal laws regulating migratory waterfowl. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities. The provisions of this section shall not apply to the Chincoteague National Wildlife Refuge.

SEC. 6. (a) Except as provided in subsection (b) of this section, the Secretary shall administer the Assateague Island National Seashore for general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore and the administrative site the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(b) Notwithstanding any other provision of this Act, land and waters in the Chincoteague National Wildlife Refuge, which are a part of the seashore, shall be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses in accordance with the provisions of the Act of September 28, 1962 (Public Law 87-714; 76 Stat. 653).

SEC. 7. (a) In order that suitable overnight and other public accommodations on Assateague Island will be provided for visitors to the seashore, the Secretary shall select and set aside one or more parcels of land in Maryland having a suitable elevation in the area south of the island terminus of the Sandy Point-Assateague Island Bridge, the total of which shall not exceed six hundred acres, and the public use area on the Chincoteague National Wildlife Refuge now operated by the Chincoteague-Assateague Bridge and Beach Authority of the Commonwealth of Virginia, and shall provide or allow the provision of such land fill within the areas selected as he deems necessary to permit and protect permanent construction work thereon: *Provided*, That the United States shall not be liable for any damage that may be incurred by persons interested therein by reason of the inadequacy of the fill for the structures erected thereon.

(b) Within the areas designated under subsection (a) of this section the Secretary shall permit the construction by private persons of suitable overnight and other public accommodations for visitors to the seashore under such terms and conditions as he deems necessary in the public interest and in accordance with the laws relating to concessions within the national park system.

(c) The site of any facility constructed under authority of this section shall remain the property of the United States. Each privately constructed concession facility, whether within or outside of an area designated under subsection (a) of this section, shall be mortgageable, taxable, and subject to foreclosure proceedings, all in accordance with the laws of the State in which it is located and the political subdivisions thereof.

((d) The Secretary shall make such rules and regulations as may be necessary to carry out this section.

(e) Nothing in this section shall be deemed to restrict or limit any other authority of the Secretary relating to the administration of the seashore.

SEC. 8. The Secretary of the Interior and the Secretary of the Army shall cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore; and any such protective works that are undertaken by the Chief of Engineers, Department of the Army, shall be carried out in accordance with a plan that is acceptable to the Secretary of the Interior and is consistent with the purposes of this Act.

SEC. 9. (a) The Secretary of the Interior is authorized and directed to construct and maintain a road from the Chincoteague-Assateague Island Bridge to the area in the wildlife refuge that he deems appropriate for recreation purposes.

(b) The Secretary of the Interior is authorized and directed to construct a road, and to acquire the necessary land and rights-of-way therefor, from the Chincoteague-Assateague Island Bridge to the Sandy Point-Assateague Bridge in such manner and in such location as he may select, giving proper consideration to the purpose for which the wildlife refuge was established and the other purposes intended to be accomplished by this Act.

SEC. 10. The Secretary of the Interior is authorized to purchase from a public utility any facilities of that utility which are no longer of value to it as a result of the establishment of the Assateague Island National Seashore and shall pay for such facilities an amount equal to the cost of constructing such facilities less depreciation.

SEC. 11. There are hereby authorized to be appropriated the sum of not more than $16,250,000 for the acquisition of lands and interests in land and such sums as may be necessary for the development of the area authorized under this Act.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. RIVERS of Alaska. Mr. Speaker, I yield such time as he may require to the chairman of the full committee [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, I rise in support of H.R. 2071, a bill to create the Assateague Island National Seashore.

There was a time when we thought of our national park system as being almost exclusively confined to the western part of the country. That time, fortunately, is past. We are building up an impressive list of areas along the eastern seaboard of which we can all be proud. Starting in the north and working south, we have Acadia National Park in Maine, the Cape Cod National Seashore in Massachusetts, the Fire Island National Seashore in New York, the Delaware Water Gap National Recreation Area in New Jersey and Pennsylvania, the Shenandoah National Park and the Colonial National Historical Park in Virginia, the Cape Hatteras National Seashore Recreational Area in North Carolina, the Great Smoky Mountains National Park in North Carolina and Tennessee, and the Everglades National Park in Florida, not to mention a host of smaller areas that have been acquired or set aside for preservation because of their historical worth.

It is with great pleasure, then, that I support the proposal to add Assateague Island to this list. I have often said that I am a mountain man, not a beach man, and there are times when I visit such an area as Assateague and wonder what anybody wants with 19,000 acres of sand and what they can do with it. But then I remember that nearly a fifth of the population of our entire Nation lives within 250 miles of this island and that the Cape Hatteras Seashore to the south, with much less population within the same radius, is already attracting over 1 million visitors a year. When I remember these things, my question is not so much what we can do with the acreage contemplated by this bill as what we can do with all the people who will want to visit it. There is no doubt in my mind that Assateague will be a useful addition to the national park system and that it will serve millions of Americans year after year from New York, Philadelphia, Wilmington, Baltimore, Washington, and Norfolk as well as the areas in between.

We have been concentrating much of our effort in the Interior and Insular Affairs Committee these last few years on recreation areas which not only have national significance but also offer a recreation potential for our great centers of population. In doing so, we have been following up on the recommendations of the Outdoor Recreation Resources Review Commission. Cape Cod was of this sort. So were Point Reyes in California and Fire Island in New York. Assateague Island falls neatly into the same pattern, and the same considerations that induced the House to enact the legislation creating the Cape Cod, Point Reyes, and Fire Island areas should persuade it to pass the bill that is now before it.

No one knows for certain precisely how much it is going to cost to acquire Assateague Island from its many owners. Our committee was advised, however, that the National Park Service has had three separate appraisals made, including one by a disinterested appraiser in private practice, and that the best estimate that could be made at this time was $16,250,000. We wrote this figure into the legislation as a ceiling on authorized appropriations for land acquisition. We hope that it will stick. If it does not, there will have to be a further enactment before more can be appropriated.

Likewise, we are requiring the National Park Service to furnish us with a detailed plan of development before any major expenditure along this line is made, and they have agreed to do so. This is important since, contrary to our frequent practice, we have not included a limitation on authorized appropriations for development. Though we had a reasonably good estimate of the amount needed for this purpose—$7,765,000—this was before the bill was amended in committee to provide for a road the entire distance between the two bridges which connect the island to the mainland—one in the north known as the Sandy Point-Assateague bridge, the other in the south known as the Chincoteague-Assateague bridge.

The Assateague Island National Seashore will be subject to the provisions of the Land and Water Conservation Fund Act regarding the charging of entrance and user fees, and this fund will be available for appropriations for the acquisition of the land that is to be included in the national seashore.

Mr. Speaker, I recommend favorable action by the House on H.R. 2071.

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

Mr. Speaker, it is with a deep feeling of honor and privilege that I rise today to speak in support of H.R. 2071, a bill to provide for the establishment of an Assateague Island National Seashore in the States of Maryland and Virginia.

This historic occasion is doubly satisfying to me because most of this priceless natural resource lies within the boundaries of the First Congressional District of Maryland which I have the good fortune to represent in the Congress.

The preservation of Assateague Island is a major landmark in the long and arduous battle by the American people and their Government to conserve the God-given treasures that once covered our land from coast to coast. These noble efforts, begun under that great Republican President, Theodore Roosevelt, are ever more vital today. Exploding population and sprawling cities every day threaten to destroy what is now only a tiny fraction of the natural beauty that once was the heritage of all Americans.

This critical situation is particularly acute in the eastern United States where the overwhelming proportion of our citizens live and work. Of the 3,700 miles of shoreline along the Atlantic and gulf coasts, there are only 105 miles, or less than 3 percent, that remain available for use by the general public. Between Richmond, Va., and Boston, Mass., lies what has come to be known as the great eastern megalopolis. This urban mass, of some 34 million people, or approximately one-fifth of our total population, lies within 250 miles of the proposed Assateague Island National Seashore.

Mr. Speaker, I believe we have a solemn duty today to take bold and positive action in the national interest, in the interest of all of our fellow citizens in the present, and in the interest of untold millions of Americans in the years ahead. Enactment of H.R. 2071 will preserve a wonderland of barrier beach and shifting sands thrusting outward from the sea. It will hold in trust a near-wilderness of only 37 miles off the shores of Maryland and Virginia, just about all that is left of one of the world's most beautiful coastlines.

But time is of the essence, Mr. Speaker, and time is running out. There are some who would put the preservation of Assateague in jeopardy in spite of our efforts to pass the legislation before us today. Only this past weekend, work was begun on a motel in the heart of the area earmarked under H.R. 2071 for inclusion in the national seashore. Every moment's delay can only increase the dangers that have faced this natural wonderland for years, and can only increase the doubts in the minds of many as to the future of this island asset.

So let us act now in the tradition of public responsibility that has in recent years established national seashores at Cape Hatteras, at Cape Cod, at Padre Island, at Point Reyes, and only last year, at Fire Island. Let us act now to set aside for future generations a tiny segment of the endowment which is still ours to bestow. Let us all support H.R. 2071 to create a national seashore on Assateague Island.

Mr. Speaker, I now yield 2 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I would like to ask a question concerning the toll bridge that has been constructed by the State. There is some indecision, according to the report, as to whether the Federal Government will take this over at a cost of $1 million.

Why not let the State continue to collect tolls until this bridge is paid for?

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

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

Mr. MORTON. This is complicated by the fact that there is a State park and also the proposed national park at the extreme eastern end of the bridge. If we operate this as a toll bridge, and then also have user entrance fees which are authorized by the Secretary to be collected by the national seashore, the whole toll fee entrance proposition to the island becomes very cluttered up. It was felt that the taxpayers got more for their money this way and that we will have more visitors. We will collect more from the user fees than we would through this toll technique.

Mr. GROSS. It seems a rather incongruous situation that in Texas you cannot get on the southern end of Padre Island without paying a toll. I think it ought to be paid for by the State of Maryland and the bridge made free to the people.

Mr. MORTON. The bridge will be made free to the people.

Mr. GROSS. Yes; by the Federal Government putting in two-thirds of the cost of the bridge.

Mr. MORTON. The Federal Government is already bearing a large portion of the cost of the bridge. The State is not going to get back any more than it put in it and neither is the county.

Mr. GROSS. At one seashore tolls are permitted, as with Padre Island, but here there would be no tolls.

Mr. MORTON. I think the gentleman has to differentiate in his mind between user fees for the park and tolls to cross a bridge.

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

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

Mr. HOSMER. In most of the Federal highways the Government puts up 90 percent of the cost and not 66⅔.

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

Mr. RIVERS of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. DOWNING].

Mr. DOWNING. Mr. Speaker, I rise in full support of this bill. I represent Virginia's first district—the coastal district in Virginia, running from North Carolina on the southern border to Maryland on the district's northern border. The Virginia end of Assateague Island lies in my congressional district.

Acquisition of Assateague Island by the Federal Government for the creation of a national seashore park will have a significant impact on the residents of my district. My constituency has followed the history of Federal acquisition of Assateague Island in close detail and they are now hopeful that the proposed Assateague National Seashore can be created in the shortest possible time. I therefore urge the House to accept the outstanding work of the Interior and Insular Affairs Committee and pass H.R. 2071.

Before continuing, Mr. Speaker, I want to congratulate the House Interior and Insular Affairs Committee for the brilliant legislative work it has done on H.R. 2071. My colleagues know that the proposed acquisition of Assateague Island has at times involved bitter controversy and deep emotion, but the wisdom and the fairness of our House Interior and Insular Affairs Committee have created an atmosphere of balance and objectivity. The emotionalism has subsided and we now have a bill that can be and should be supported by every member of this body. I commend Chairman ASPINALL and Subcommittee Chairman RIVERS and the full membership of the committee.

Mr. Speaker, there are very few seashore areas remaining along the Atlantic coast. We have a scarcity of seashore recreation sites open for recreational use by the public. The scarcity of seashore recreation areas clearly will become more acute with the expected population growth in the urbanized area along the central Atlantic coast. The bill we are considering today, along with the companion bill, S. 20, which has passed the Senate, represents our Nation's near final opportunity to acquire a seashore recreation area in the public interest.

Private development along our seashores has been accelerated in the recent past. The pressure of population undoubtedly will lead to further acceleration. We will soon be a nation with twice as many people as we were when

the real estate boom along our Atlantic coast got underway. The Congress, it seems to me, must take the responsibility, in this instance, for balancing development in desirable seashore areas between private and public interests. I believe it is useful to give the 50 million people who live within a day's drive an opportunity to enjoy Assateague Island's superlative beach. However, I personally believe that this superb island should be developed for the benefit of all of our people—not just those Americans who like to get away from it all. I know that many Americans who would journey to Assateague want something more than a naturalist's holiday. They want and need controlled public accommodations. This, Mr. Speaker, is one of the reasons that H.R. 2071 represents such splendid committee work. Because H.R. 2071 balances Assateague Island's potential by providing nature in the raw for those Americans who prefer it that way and limited and controlled public accommodations for those Americans who are not necesarily camping enthusiasts. To me, it is important that Members of the House now have an opportunity to vote for a bill that will place a major national recreation area within easy reach of about one-fourth of our Nation's population and it seems important to me that the bill is designed to assure that both unspoiled natural areas and properly located public accommodations will meet the needs of all visiting Americans.

On this point, Mr. Speaker, I would like to clarify, if I may, the wishes of my constituency in connection with the land being set aside for public accommodations on the Virginia end of the island. My constituency is not interested at this time in commercial development on the Virginia end of Assateague. It is our hope that the Interior Secretary would set an area aside in its present natural state, without development or construction of public accommodations in the foreseeable future. The world famous Chincoteague oyster is farmed in Tom's Cove and in the Chincoteague Bay areas just below the Virginia end of Assateague Island. Construction of any kind would undoubtedly decimate a product that is famous throughout the Nation and we, of course, cannot allow this to happen. Of course, we assume in Virginia that the time will come when developments in the oyster industry and population demands for public accommodations may coincide, and we hope that the Interior Secretary would permit construction of public accommodations on our end of the island at that time, but the situation is not emergent and the 600 acres set aside in Maryland should provide adequately for public accommodations for a long time. I believe, Mr. Speaker, that H.R. 2071 adequately covers this point, but there has been some confusion on the purpose of the set-aside provisions for Virginia and I want the record to clearly indicate that we want the capability to provide public accommodations in Virginia at the appropriate time in the distant future, but we have no interest in commercial development in the immediate or near future.

The Chincoteague area is one of Virginia's richest oyster producing regions and we must preserve the Chincoteague oyster. I am hopeful that nothing we will do on Assateague Island will in any way diminish Chincoteague's oyster production. I hope and urge that the Interior Secretary will always keep in mind the importance of preserving the Chincoteague oyster industry.

Mr. Speaker, I would like to comment particularly on only one other section of H.R. 2071. Section 9 of the bill provides for construction of a road from the Chincoteague-Assateague Bridge to the Chincoteague beach area and for the construction of a road to connect the Chincoteague-Assateague Bridge with the Sandy Point-Assateague Bridge. The precise location of this dual road is left to the Interior Secretary's judgment and I assume the Interior Secretary will locate the roads on the basis of technical considerations and professional engineering recommendations. But, without regard to the Secretary's decision on road location, I want to thank the House Interior and Insular Affairs Committee for authorizing and directing this dual roadway system. I believe section 9 may be the single most important feature of the bill, because a road connecting the two bridges—one on the Virginia end and one on the Maryland end, and a road from the bridge on the Virginia end to the Chincoteague beach area will mean that the millions of Americans who will travel to Assateague Island by automobile will be able to enjoy not only the attractions of the island itself but the attractions of a southern coastal tour. A road from bridge to bridge makes possible a circumferential visiting pattern in the area. Travelers would be able to conveniently visit almost the entirety of the area that has so appropriately been called "the land of pleasant living." A loop road would also make it possible for Americans to conveniently visit one of the great engineering feats of all time—the unbelievable Chesapeake Bay Bridge Tunnel. I do not mean to regale my colleagues on the beauty of my home area—but to my mind the provision of the loop road on Assateague Island is an ingenious provision because it opens up the entire Chesapeake Bay area as well as Assateague Island itself to the central Atlantic urban area. This is clearly in the public interest and it clearly meets the first objective of the bill to open up recreation areas for the urbanized areas in our central Atlantic region.

Mr. Speaker, it is a pleasure for me to arise in full support of the bill. I hope my colleagues will share in my belief that it is a bill that deserves unanimous support of the House. I hope it will be passed unanimously.

Mr. RIVERS of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland [Mr. SICKLES].

Mr. SICKLES. Mr. Speaker, I thank the gentleman from Alaska for yielding this time to me.

Mr. Speaker, I also rise in wholehearted support of H.R. 2071.

Now is the time of the year when many Americans spend part of their summer vacationing at the seashore.

Assateague constitutes the last significant stretch of undeveloped seashore on the eastern seaboard. It is easily accessible from such large metropolitan centers as Norfolk, Richmond, Washington, Baltimore, Wilmington, Philadelphia, New Jersey, and New York. An estimated 33 million people live within 250 miles of the island, now connected to the mainland by a newly constructed bridge across the bay.

The ease of access created by the opening of the Assateague Bridge on the Maryland mainland has now increased pressures on State officials to permit development of the island by private individual or commercial concerns.

If Assateague is indeed to be preserved unspoiled for the enjoyment of those millions who lack the opportunity to have access to a private ocean beach, the Congress must act promptly.

The State of Maryland itself is strongly in favor of an Assateague National Seashore and is anxious to move ahead with its plans to develop the State-owned portion of the island. Recently, a proposed master plan of the State Department of Forests and Parks was made public. The plan earmarks $6.7 million for development of the Maryland section of Assateague over the next decade.

At the present time part of the island is owned by the State of Maryland, part is owned by the Federal Government and the remainder is in private ownership. This bill is to acquire Assateague Island as a national seashore provides adequate funds for the just compensation of the present property owners.

In the not too distant future Assateague Island is expected to attract 3 million visitors annually. It is my hope that the Congress will approve Assateague Island as a national seashore so that this valuable asset can benefit our entire Nation and be preserved for future generations.

Ample provision is made to permit the leasing by private developers of 600 acres insuring adequate facilities for public use and the promotion of private enterprise without in any way marring the beauty of the island.

We all know that our country has been generously endowed by nature with beauty of awesome proportions, yet we find that as our population tends to cluster in great sprawling cities. Fewer and fewer of our citizens are able to enjoy nature's handwork. Because so few spots of this sort are either accessible or publicly available, it would be a sad waste to permit this lovely island to either remain unused or to limit its use to only a few. President Johnson has pointed out that it is especially those of us who live and work in cities who stand to benefit most from the "enrichment of mind and spirit" which naturally beautiful environments often provide. A national seashore on Assateague Island offers just such an opportunity, and I do not think we can afford to let it pass.

Mr. RIVERS of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to add my support to the efforts of our colleague from Maryland, Congressman MORTON, and of our colleague from Virginia, Mr. DOWNING, and of other Members of the Maryland and Virginia delegations to have Assateague Island declared a national seashore. They did an excellent job in presenting their case before our Subcommittee on National Parks and Recreation, and in showing us Assateague Island when we visited it about 2 months ago. I congratulate them on the successful outcome of their efforts and I thank them for the many courtesies they showed to us.

There are three points about the Assateague Island proposal that I want to stress. The first is that, without disturbing the present functions of the Chincoteague National Wildlife Refuge, on the southerly portion of Assateague Island, we will be combining it with a new national recreation area and in this way will be making available for public enjoyment practically the whole of the 33 miles of beach on the ocean side of Assateague Island. This will be a great contribution to the pleasure of people living in the metropolitan corridor that stretches from New York to Norfolk and to that of the many other visitors who will come here from more distant parts of the Nation.

The second point I want to stress is this: One of the jobs of the Fish and Wildlife Service and the National Park Service in their administration of the Assateague Island National Seashore will be the preservation of the herd of wild ponies that is such an attractive and interesting feature of the island. If Assateague Island were ever developed as was proposed when a large part of it was platted and subdivided, the pony herd would be much more restricted than it will be when the island is administered as a national seashore.

A third feature of this bill is its direction to the Secretary of the Interior to set aside as much as 600 acres in the Maryland portion of the national seashore for concession services. Many people who will visit Assateague will want to stay there overnight or longer and will not want to camp out. It is these people that we were thinking of when, in marking up the bill, we included not only the provision I just referred to but also a provision to set aside a similar area in the Virginia portion of the park for the same purpose. An additional benefit that will accrue from permitting concessioners to operate in these areas will be the tax base that will be preserved for the local political subdivisions.

In addition to these three matters, I want to discuss briefly the problem of a road on the island. This was thoroughly discussed in the committee. It was clear to all of us that a road will be badly needed. It was clear to all of us, also, that the road ought to connect the Maryland exit at the Sandy Point bridge with the Chincoteague bridge to the south and not be merely a 12-mile stub in the Maryland part of the national seashore. What was not clear, however, was where the road should be located. Some wanted it right back of the dune line as it presently exists. Others thought it should be farther to the west. Still others wanted to bypass as much of the national wildlife refuge as possible. It was thus impossible to make a decision on the location of the main road at the time we marked up the bill. This was left to be worked out by the Secretary of the Interior. His decision will have to be made with three main considerations in mind: First, the preservation of as much of the wildlife refuge area with its wilderness characteristics as possible; second, the convenience of the public visiting the national seashore and the role the road can play in acquainting them with the beauties of the area; and, third, the engineering and cost factors in favor of one route as against another.

Mr. Speaker, there are any number of other points about H.R. 2071 that I could mention but they either have been or will be so well covered by other speakers that I will not use up your time with my comments. I close, therefore, by asking your support for H.R. 2071. It deserves your support, for Assateague will be a very worthy addition to our national park system and will, in the years to come, serve the American people in an outstanding way.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

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

GENERAL LEAVE TO EXTEND REMARKS

Mr. RIVERS of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the bill just passed.

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

There was no objection.

Mr. RIVERS of Alaska. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 20) to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes.

The Clerk read the title of the bill.

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

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

S. 20

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of protecting and developing Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation and use and enjoyment, the Assateague Island National Seashore (hereinafter referred to as the "seashore") shall be established and administered in accordance with the provisions of this Act. The seashore shall comprise the area within Assateague Island and the small marsh islands adjacent thereto, together with the adjacent water areas not more than one-half mile beyond the mean high waterline of the land portions as generally depicted on a map identified as "Proposed Assateague Island National Seashore, Boundary Map, NS-AI-7100A, November 1964", which map shall be on file and available for public inspection in the offices of the Department of the Interior.

SEC. 2. (a) Within the boundaries of the seashore, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or by such other method as he may find to be in the public interest. The Secretary is authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein on the mainland for an administrative site. In the case of acquisition by negotiated purchase, the property owners shall be paid the fair market value by the Secretary. Any property or interests therein owned by the States of Maryland or Virginia shall be acquired only with the concurrence of such owner. Notwithstanding any other provision of the law, any Federal property located within the boundaries of the seashore and not more than ten acres of Federal property on the mainland may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for purposes of the seashore.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and to not more than ten acres of non-Federal property on the mainland, and convey to the grantor of such property and federally owned property under the jurisdiction of the Secretary which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the properties exchanged..

(c) The Secretary is authorized to acquire all of the right, title, or interest of the Chincoteague-Asateague Bridge and Beach Authority, a political subdivision of the State of Virginia, in the bridge constructed by such authority across the Asateague Channel, together with all lands or interests therein, roads, parking lots, buildings, or other real or personal property of such authority and to compensate the authority in such amount as will permit it to meet its valid outstanding obligations at the time of such acquisition. Payments by the Secretary shall be on such terms and conditions as he shall consider to be in the public interest. Any of the aforesaid property outside the boundaries of the national seashore, upon acquisition by the Secretary, shall be subject to his administration for purposes of the seashore.

(d) Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a term that is not more than twenty-five years. In such cases, the Secretary shall pay to the owner of the property the fair market value thereof less the fair market value of the right retained by such owner. The term improved property as used in this Act shall mean (1) any single-family residence the construction of which was begun before January 1, 1963, and such amount of land, not in excess of three acres, on which the building is situated as the Secretary considers reasonably necessary to the noncommercial residential use of the building, and (2) any property fronting on the Chincoteague Bay or Sinepuxtent Bay including the offshore bay islands adjacent thereto, that are used chiefly for hunting and continues in such use and in the same ownership: *Provided,* That the Secretary may exclude from improved properties any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as

he deems necessary for public use or public access thereto.

SEC. 3. (a) If the bridge from Sandy Point to Assateague Island is operated by the State of Maryland as a toll-free facility, the Secretary is authorized and directed to compensate said State in the amount of two-thirds of the cost of constructing the bridge, including the cost of bridge approaches, engineering, and all other related costs, but the total amount of such compensation shall be not more than $1,000,000; and he is authorized to enter into agreements with the State of Maryland relating to the use and management of the bridge.

(b) The State of Maryland shall have the right to acquire or lease from the United States such land or interest therein on the island north of the area now used as a State park as the State may from time to time determine to be needed for State park purposes; and the Secretary is authorized and directed to convey or lease such land or interest therein to the State for such purposes upon terms and conditions which he deems will assure its public use in harmony with the purposes of this Act. In the event any of such terms and conditions are not complied with, all the property, or any portion thereof, shall, at the option of the Secretary, revert to the United States in its then existing condition. Any lease hereunder shall be for such consideration as the Secretary deems equitable; and any conveyance of title to land hereunder may be made only upon payment by the State of such amounts of money as were expended by the United States to acquire such land, or interest therein, and upon payment of such amounts as will reimburse the United States for the cost of any improvements placed thereon by the United States, including the cost to it of beach protection: *Provided*, That reimbursement for beach protection shall not exceed 30 per centum, as determined by the Secretary, of the total cost to the United States of such protection work.

SEC. 4. When the Secretary determines that land, water areas, or interests therein within the area generally depicted on the map referred to in section 1 are owned or have been acquired by the United States in sufficient quantities to provide an administrable unit, he shall declare the establishment of the Assateague Island National Seashore by publication of notice thereof in the Federal Register. Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable, and the exterior boundaries shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act.

SEC. 5. The Secretary shall permit hunting and fishing on land and waters under his control within the seashore in accordance with the appropriate State laws, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment: *Provided*, That nothing in this Act shall limit or interfere with the authority of the States to permit or to regulate shellfishing in any waters included in the national seashore. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities. The provisions of this section shall not apply to the Chincoteague National Wildlife Refuge.

SEC. 6. (a) Except as provided in subsection (b) of this section, the Secretary shall administer the Assateague Island National Seashore for general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore and the administrative site the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(b) Notwithstanding any other provision of this Act, land and waters in the Chincoteague National Wildlife Refuge, which are a part of the seashore, shall be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses in accordance with the provisions of the Act of September 28, 1962 (76 Stat. 653).

SEC. 7. (a) In order that suitable overnight and other public accommodations on Assateague Island will be provided for visitors to the seashore, the Secretary is authorized to select and set aside not to exceed six hundred acres having a suitable elevation in the area south of the island terminus of the bridge constructed by the State of Maryland, and to provide such land fill within the area selected as he deems necessary to permit and protect permanent construction work thereon.

(b) Within the area designated under subsection (a) the Secretary shall permit the construction by private persons of suitable overnight and other public accommodations for visitors to the seashore, under such terms and conditions as he deems necessary in the public interest. Such terms and conditions shall include, but not be limited to, the right of the Secretary to approve all plans for the facility and to impose restrictions on the use thereof.

(c) The site of any facility constructed under authority of this section shall remain the property of the United States; however, each such privately owned overnight or other accommodation facility shall be subject to taxation by the State and the political subdivisions thereof in which such facility is located.

(d) The Secretary shall make such rules and regulations as may be necessary to carry out this section.

(e) Nothing in this section shall be deemed to restrict or limit any other authority of the Secretary relating to the administration of the seashore.

SEC. 8. The Secretary of the Interior and the Secretary of the Army shall cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore; and any such protective works that are undertaken by the Chief of Engineers, Department of the Army, shall be carried out in accordance with a plan that is acceptable to the Secretary of the Interior and is consistent with the purposes of this Act.

SEC. 9. The Secretary of the Interior shall construct a suitable road on Assateague Island from the Chincoteague-Assateague Bridge in the State of Virginia to the existing public beach and through the Chincoteague National Wildlife Refuge to connect with the Sandy Point-Assateague Bridge in the State of Maryland.

SEC. 10. There are hereby authorized to be appropriated the sums of not more than $16,250,000 for the acquisition of lands and interests in lands and not more than $7,765,000 for the development of the area authorized under this Act.

AMENDMENT OFFERED BY MR. RIVERS OF ALASKA

Mr. RIVERS of Alaska. Mr. Speaker, I offer an amendment to strike out all after the enacting clause of S. 20 and insert the provisions of H.R. 2071 as just passed.

The Clerk read as follows:

Amendment offered by Mr. RIVERS of Alaska: Strike out all after the enacting clause of S. 20 and insert the provisions of H.R. 2071 as just passed.

The amendment was agreed to.

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

A similar House bill (H.R. 2071) was laid on the table.

AMENDING THE SMALL RECLAMATION PROJECTS ACT

Mr. ROGERS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4851) to amend the Small Reclamation Projects Act of 1956.

The Clerk read as follows:

H.R. 4851

A bill to amend the Small Reclamation Projects Act of 1956

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Small Reclamation Projects Act of 1956 (70 Stat. 1044), as amended (43 U.S.C. 422a et seq.) is hereby further amended as follows:

(1) In section 1, by striking out "in the seventeen western reclamation States" and inserting in lieu thereof "throughout the United States";

(2) In section 2, by striking out the second sentence of subsection (d) and the first two provisos thereto and inserting in lieu thereof the following: "The term 'project' shall not include any such undertaking, unit, or program the cost of which exceeds $10,000,000 and no loan, grant, or combination thereof for any project shall be in excess of $5,000,000 plus or minus, in any case, such amount as reflects whatever change in costs of construction of the types involved in the project may have occurred between January 1, 1957, and January 1 of the year in which the loan, grant, or combination thereof is made, as shown by general engineering indices:" and by striking out "*And providing further*," and inserting in lieu thereof "*Provided*,";

(3) In section 4, by adding at the end of subsection (a) the following: "The costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among project functions.";

(4) In section 4, by changing the colon (:) in subsection (b) to a period (.) and striking out the remainder of said subsection;

(5) In section 5, by striking out the present text of item (b) and inserting in lieu thereof the following:

"(b) the maximum amount of any grant to be accorded the organization. Said grant shall not exceed the sum of the following: (1) the costs of investigations, surveys, and engineering and other services necessary to the preparation of proposals and plans for the project allocable to fish and wildlife enhancement or public recreation; (2) one-half the costs of acquiring lands or interests therein for a reservoir or other area to be operated for fish and wildlife enhancement or public recreation purposes; (3) one-half the costs of basic public outdoor recreation facilities or facilities serving fish and wildlife enhancement purposes exclusively; (4) one-half the costs of construction of joint use facilities properly allocable to fish and wildlife enhancement or public recreation; and (5) that portion of the estimated cost of constructing the project which, if it were constructed as a Federal reclamation project, would be properly allocable to functions, other than recreation and fish and wildlife enhancement, which are nonreimbursable

under general provisions of law applicable to such projects.";

(6) In section 8, by striking out "Act of August 14, 1946 (60 Stat. 1080)" and inserting in lieu thereof "Fish and Wildlife Coordination Act (48 Stat. 401), as amended (16 U.S.C. 661 et seq.)";

(7) In section 10, by striking out "$100,000,000" and inserting in lieu thereof "$200,000,000".

The SPEAKER pro tempore. Is a second demanded?

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

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

Mr. ROGERS of Texas. Mr. Speaker, I yield such time as he may require to the distinguished chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, this legislation will provide for continuing a very successful small water projects program which was initiated 9 years ago, and extending this program, which has been applicable only to the western reclamation States and to Hawaii, to the entire United States.

This program came into being on August 6, 1956, by the enactment of the Small Reclamation Projects Act. Its purpose is to encourage State and local participation in the development and rehabilitation of small water projects primarily for irrigation. The Federal Government assists such undertakings by providing loans and grants to the States or to local public agencies. The local agencies retain full responsibility for the planning, construction, and operation of these small projects. They receive substantially the same benefits and financial assistance from the Federal Government that they would receive if the projects were constructed as Federal reclamation projects. This program successfully complements the regular reclamation program which is primarily geared to larger, more complex, and more costly water resources developments. Since the program was initiated in 1956, 29 projects have either been completed or are presently under construction. Many additional projects are in the planning stage.

The success of this small water projects program in stimulating and encouraging local action in water resources development warrants not only an extension of its life but also its extension to the entire Nation to help meet the evergrowing water needs throughout the United States. In addition to extending the coverage of the program to the whole Nation, H.R. 4851 provides authority for appropriating an additional $100 million for small project loans and grants. It also amends the basic act to recognize changes in costs of construction and bring it more closely into line with recently adopted policies relative to recreation and fish and wildlife.

Many of the proposed amendments to the basic act embodied in H.R. 4851, as introduced, were rejected by the committee. It seemed to us that the success of this program in its present form indicates little need for change except to provide additional funds and to update the act with respect to new policies. The evergrowing water problems and needs throughout our Nation—the East as well as the West—prompted the extension of the program to the entire United States. We recognized the need for an increase in the $5 million ceiling on the amount of any loan, grant, or combination thereof to reflect changes in costs of construction, but not an increase to $7½ million as provided in H.R. 4851, as introduced. The language adopted by the committee provides an increase or decrease in the $5 million to reflect changes in cost of construction of the types involved in the project which may have occurred after passage of the basic act of 1956. This language provides a ceiling of about $6 million at the present time. It can go either up or down in the future.

Although the committee recognized that the interest rate formula in the basic act is different from the formula generally used for Federal water projects at the present time, we did not feel that there was justification for changing the rate. It seemed to the committee that there is little relationship between the interest date to be made applicable to loans for locally constructed private projects and the rate to be used in establishing the repayment requirements for federally constructed and federally owned projects.

The committee also rejected the provisions in H.R. 4851, as introduced, which would have provided for an advance to an organization of one-half the cost of project investigations, and which would have exempted from the congressional review procedure loan applications involving Federal participation of less than $250,000. These proposed changes in the basic act seemed unnecessary and unwarranted.

Mr. Speaker, this small water projects program has served most satisfactorily during the past 9 years a very real need in water resources development in the 17 reclamation States and Hawaii. We believe that it will continue to be a successful program in stimulating and encouraging local action water resources development. With water resources development and use becoming a more important factor in the economy of the entire Nation, we also believe that this program will benefit the eastern part of our Nation as well as the West.

I urge the approval of H.R. 4851, as amended by the committee.

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

Mr. ASPINALL. I am glad to yield to my friend.

Mr. GROSS. From the looks of the States benefited by this bill, this might well be called the Western States irrigation bill.

Mr. ASPINALL. If my colleague would let me answer him—it might well be called a bill that has so far benefited only three or four States. It has not benefited the Western States generally as my colleague has suggested. It is because of this reason, that we think perhaps the benefits of this program should be available to all of the States of the Nation.

Mr. GROSS. Unless I am unable to read the English language, I would say California was very well taken care of as well as some of the other western States—but particularly California.

Mr. ASPINALL. I think my colleague is right. I think the reason for this is that California was able from the start to take advantage of the provisions of the law. Not only that, but California uses a great deal of its funds for its distribution systems which served their reclamation programs. We do not believe that California has unjustifiably taken advantage of the law; I think she was just in a position to be able to apply for its benefits.

Mr. GROSS. It can be used by other States; is that correct?

Mr. ASPINALL. The gentleman is correct. That is, if they qualify. My State, for instance, has only one project that is qualified, but that is not the fault of the legislation. It is just the fault of the State of Colorado not being in a position to qualify for new projects possible under this program.

Mr. GROSS. Does a State have to be a so-called reclamation State to qualify?

Mr. ASPINALL. At the present time they do.

Mr. GROSS. And this bill changes that?

Mr. ASPINALL. This bill changes it so that every State may have the advantage of the Small Projects Act.

Mr. GROSS. So if it happens to turn dry in Iowa, we can get some financing for irrigation?

Mr. ASPINALL. The gentleman is correct. I would think there might be a few places in Iowa that could prosper under this legislation.

Mr. HOSMER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I rise in support of H.R. 4851, a bill to amend the Small Reclamation Projects Act of 1956, as amended.

It is encouraging to come before my colleagues and support this bill. It is encouraging because the program begun by the enactment of the Small Reclamation Projects Act on August 6, 1956, has been a satisfactory and successful program. It is a partnership which provides for cooperation between the Federal Government and State and local agencies in the construction, development, and rehabilitation of small water projects.

H.R. 4851, is both an extension and expansion of the present program. It does so by amending the act of 1956, as amended.

The first amendment of H.R. 4851 extending the Small Reclamation Projects Act to the 50 States needs a little discussion in view of the increasing water problems of our Nation—a problem which now afflicts equally both the arid West and the drought-stricken Northeastern United States.

With an expansion of the Small Reclamation Projects Act to the 50 States, it became apparent to the committee

that additional funds should be authorized to carry out the purposes of the act. Thus, amendment No. 7 of H.R. 4851 authorizes the appropriation of an additional $100 million to carry out the purposes of this act as amended.

The second amendment to the act of 1956 contained in H.R. 4851 limits the loan or grant to $5 million plus or minus the average increase or decrease in construction costs occurring between January 1, 1957, and January 1 of the year in which the loan or grant is made. This amendment to the basic act is intended to expand the small projects program by increasing the ceiling on the amount of the loan or grant in line with the increase or decrease of construction costs since 1957. This permits projects of the same scope as in 1956 to come under the act notwithstanding inflationary pressures during the last 10 years. But no projects of larger scope are provided.

Amendment No. 3 of H.R. 4851 is in keeping with the Federal policy regarding fish and wildlife resources as project costs and allocated among the project functions.

Amendment No. 4 of H.R. 4851 is to delete a portion of section 4(b) of the basic act no longer applicable by the adoption of the committee amendments to H.R. 4851.

The fifth amendment provides for the amendment of section 5(b) of the basic act and requires the contract entered into by the Secretary to set out the maximum amount of the loan or grant and further, that the loan or grant shall not exceed the sum of recently adopted cost sharing policies. This amendment rejects the language of section 8 of H.R. 4851 as introduced which permitted the advance of funds up to one-half of the cost of project investigation and preparation of loan applications.

Amendment No. 6 of H.R. 4851 incorporates the procedural requirements and other provisions of the Fish and Wildlife Coordination Act to the extent that it is not inconsistent with the other provisions of this act.

Mr. Speaker, the Small Reclamation Projects Act of 1956 as originally enacted was to encourage State and local participation in the development of small reclamation projects. The amount of interest shown in this program since its enactment 9 years ago merits its extension and expansion.

H.R. 4851 amending the Small Reclamation Projects Act of 1956 continues and strengthens this program. I ask my colleagues to support this legislation and urge its enactment.

Mr. ROGERS of Texas. Mr. Speaker, I yield such time as he may require to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Speaker, I rise, as the author of H.R. 4851, in support of this legislation before us today.

The Small Reclamation Projects Act of 1956 was enacted originally to encourage State and local participation in the development and improvement of reclamation projects in many areas of the West where there has been a great need for the development of the water resources.

In the nearly a decade since this first program was initiated, local districts in Arizona, California, Colorado, Hawaii, Idaho, Nevada, Oregon, Texas, and Utah have taken advantage of this program and I understand that a district in the State of Nebraska also will soon present a project for consideration. You can see that the application has been broad in geographic scope.

Economically this has been a fine program. One of its most noteworthy features is the fact that basically this is a loan program under which loans are advanced to local districts and then repaid to the Federal Government from the proceeds received from the benefits of the project. Ninety-eight percent of the money used over the years has been in the form of loans. There has been not one single default or delinquent account in this program. In view of this fine record of achievement, we should look briefly at what we are talking about in dollars and cents. Eleven projects have been completed during the past 9 years, representing an investment of nearly $20 million. There are now another 18 projects under construction amounting to nearly $46 million. Congress has approved four others aggregating $14 million and two are pending before this Congress totaling $600,000. In varying stages of consideration at local or departmental level are 22 more projects amounting to more than $50 million.

It is apparent that this is a program which has proven to be a valuable supplement to the Federal reclamation laws. Its main purpose is to permit local agencies to undertake, with Federal loans, the smaller reclamation projects which the regular reclamation organization and statutes are not geared to handle expeditiously.

The enthusiastic endorsement of this program by local interests, as is demonstrated clearly by the ever-increasing activity in the program, points up the tremendous need for continuation of the program. In extending the life of this program, I feel that the need also is clearly present to expand it somewhat. The proposals which we have now before us would accomplish this and make an excellent program even more vital and able to serve the needs of our people even better.

In conclusion, Mr. Speaker, I would like to endorse wholeheartedly the legislation we have before us and urge its favorable consideration here today. Thank you.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill, H.R. 4851, 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. ROGERS of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 602) to amend the Small Reclamation Projects Act of 1956, a similar bill to the bill just passed.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill as follows:

S. 602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Small Reclamation Projects Act of 1956 (70 Stat. 1044, as amended by 71 Stat. 48 and 49) is further amended as follows:

(a) Amend subsection (d) of section 2 to read as follows:

"(d) The term 'project' shall mean (i) any complete irrigation undertaking, including incidental features thereof, or distinct unit of such an undertaking or a rehabilitation and betterment program for an existing irrigation project, authorized to be constructed pursuant to the Federal reclamation laws and (ii) any similar undertaking proposed to be constructed by an organization. The term 'project' shall not include any such undertaking, unit, or program the cost of which exceeds $10,000,000: *Provided,* That no loan or grant or combination thereof in excess of $7,500,000 will be made: *Provided further,* That nothing contained in this definition shall preclude the making of a grant not in excess of $7,500,000 in accordance with the provisions of sections 4 and 5 of this Act, to organizations whose proposed projects qualify for the same but which are not applicants for a loan under this Act: *And provided further,* That nothing contained in this Act shall preclude the making of more than one loan or grant, or combined loan and grant, to an organization so long as no two such loans or grants, or combinations thereof, are for the same project, as herein defined."

(b) Amend subsection (a) of section 4 to read as follows:

"(a) Any proposal with respect to the construction of a project which has not theretofore been authorized for construction under the Federal reclamation laws shall set forth, among other things, a plan and estimated cost in detail adequate to provide a clear understanding of the project, to demonstrate that it is financially feasible, and to define the maximum amount of the loan; shall have been submitted for review by the States of the drainage basin in which the project is located in like manner as provided in subsection (c), section 1 of the Act of December 22, 1944 (58 Stat. 887), except that the review may be limited to the State or States in which the project is located if the proposal is one solely for rehabilitation and betterment of an existing project; and shall include a proposed allocation of capital costs to functions such that costs for facilities used for a single purpose shall be allocated to that purpose and costs for facilities used for more than one purpose shall be so allocated among the purposes served that each purpose will share equitably in the costs of such joint facilities: *Provided,* That costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among project functions."

(c) Amend subsection (b) of section 4 by striking out the word "construction" from the phrase which now reads "and willing to finance otherwise than by loan and grant under this Act such portion of the cost of construction" and insert in lieu thereof "the project," and by inserting at the end of the parenthetical phrase "except as provided in subsection 5(b)(2) hereof".

(d) Amend subsection (d), section 4, by adding at the end of the first sentence the following: "*Provided,* That an appropriation

may be made before the end of the said sixty days if both House and Senate committees shall have earlier approved the project by committee resolution".

(e) Amend subsection (a) of section 5 to read as follows:

"(a) the maximum amount of any loan to be made to the organization and the time and method of making the same available to the organization. Said loan shall not exceed the lesser of (1) $7,500,000 or (2) the estimated total cost of the project minus the contribution of the local organization as provided in section 4(b) and the amount of the grant approved."

(f) Amend subsection (b) of section 5 to read as follows: "the maximum amount of any grant to be accorded the organization. Said grant shall not exceed the sum of the following: (1) the costs of investigations, surveys, and engineering and other services necessary to the preparation of proposals and plans for the project allocable to fish and wildlife enhancement or public recreation; (2) up to one-half the costs of acquiring lands or interest therein for a reservoir or other area to be operated for fish and wildlife enhancement or public recreation purposes; (3) up to one-half the costs of basic public outdoor recreation facilities or facilities serving fish and wildlife enhancement purposes exclusively; (4) up to one-half the costs of construction of joint use facilities properly allocable to fish and wildlife enhancement or public recreation; and (5) that portion of the estimated cost of constructing the project which if it were constructed as a Federal reclamation project, would be properly allocable to functions other than recreation and fish and wildlife enhancement which are nonreimbursable under general provisions of law applicable to such projects."

(g) Amend subsection (c) of section 5 to read as follows:

"(c) A plan of repayment by the organization of (1) the sums lent to it in not more than fifty years from the date when the principal benefits of the project first become available; (2) interest, as determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the contract is executed, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue, and by adjusting such average rate to the nearest one-eighth of 1 per centum at the beginning of the fiscal year preceding the date on which the contract is executed, on that portion of the loan which is attributable to furnishing water service or facilities to land held in private ownership in each year by any one owner in excess of one hundred and sixty irrigable acres; and (3) in case of any project involving an allocation to domestic, industrial, or municipal water supply, or commercial power, interest on the unamortized balance of an appropriate portion of the loan at a rate as determined in (2) above;".

(h) Add, as a new section, section 8, to read as follows:

"SEC. 8. If he determines that it is justified, the Secretary may advance to an organization, eligible for a loan under this Act, funds up to half the amount required to undertake project investigations, to prepare the loan applications, and to do other work necessary to obtaining of a construction loan, the funds so advanced to become a part of the loan and grant or combination thereof; to be repaid as provided in section 5 of this Act, if not otherwise repaid. If no loan under this Act is made to the organization and no construction (whether or not financed under this Act) is performed as a result of such investigations or studies, such funds advanced may be nonreimbursable. Funds for this purpose shall not be advanced until the local organization has presented its program for these activities for approval by the Secretary. If a loan (or advance of funds) has been made by another Federal agency for planning with respect to a project theretofore or subsequently approved for a construction loan under this Act, the Secretary may provide from construction funds the full amount necessary to repay that loan or advance of funds and such amount shall be included as a part of the construction loan under this Act."

(i) Renumber existing sections "8", "9", "10", "11", and "12" as sections, "9", "10", "11", "12", and "13", respectively.

(j) Amend section 9 (formerly section 8) to read as follows:

"SEC. 9. To the extent not inconsistent with other provisions of this Act, the planning and construction of projects undertaken pursuant to this Act shall be subject to all procedural requirements and other provisions of the Fish and Wildlife Coordination Act."

(k) Amend section 11, formerly section 10, to read as follows:

"SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary, but not to exceed $200,000,000 to carry out the provisions of this Act, this limit to be extended by the amounts of repayment of principal received from loans and the amount of nonreimbursable expenditures under this Act: *Provided*, That the Secretary shall advise the Congress promptly on the receipt of each proposal referred to in section 3, and no contract, except as may be necessary under section 8, shall become effective until appropriated funds are available to initiate the specific proposal covered by each contract. All such appropriations shall remain available until expended and shall, insofar as they are used to finance loans made under this Act, be reimbursable in the manner hereinabove provided."

AMENDMENT OFFERED BY MR. ROGERS OF TEXAS

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

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas: Strike out all after the enacting clause of the bill, S. 602, and insert the provisions of the bill, H.R. 4851, as passed.

The amendment was agreed to.

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. 4851, was laid on the table.

PROTECTION OF FORMER PRESIDENTS

Mr. CELLER. Mr. Speaker, I move that the House suspend the rules and pass the bill (S. 2420).

The Clerk read the bill, as follows:

S. 2420

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second clause of title 18, United States Code, section 3056, is amended to read as follows: "protect the person of a former President and his wife during his lifetime and the person of a widow and minor children of a former President for a period of four years after he leaves or dies in office, unless such protection is declined;".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. CELLER. Mr. Speaker, the bill before the House was unanimously reported by the Judiciary Committee. It has bipartisan support.

Presently, the President and his immediate family are protected during the President's tenure. A former President, plus his wife, were given protection for only a reasonable period, unless he denied that protection. That protection was given by the U.S. Secret Service.

I was of the opinion—and I believe most people were of the opinion—that protection by the Secret Service continues throughout the lifetime of a former President. Such is not the case. It continues only for a reasonable period. Legislative history seems to indicate that a reasonable time might well be 6 months.

It now appears, unfortunately, that threats have been made on the life of our dear former President, President Eisenhower. President Eisenhower has been greatly annoyed by some of those threats. Not so long ago Members might have read in the public press that his automobile was invaded and ransacked by vandals.

Two years ago we passed a special statute providing for the protection of the widow of the late lamented President Kennedy and her infant children. That law expires this coming December 12. The bill which is before the House would offer protection to former Presidents and their wives during the lifetime of the President unless he declines that protection. Then protection would be given to the widow and the minor children of a former President for a period of 4 years after he dies or resigns from office.

That provision would take care of the usual situation with reference to Mrs. Jacqueline Kennedy.

Former Presidents and the wives of former Presidents are individuals who are sought after. They are in the limelight. They are singled out and often they are annoyed by the idle curious. Sometimes they are the targets of the mentally deranged. They are subject to threats by those who imagine grievances.

It strikes me, as it struck the members of the committee, that it would be small gratitude to show former Presidents and their dear ones to throw this cloak of protection around them for an appropriate period. We feel that in a case of the President himself and his wife, that period should be for his entire lifetime.

The case of Mrs. Kennedy involves some peculiar circumstances. This very gracious and lovely lady, who has suffered immeasurably, should be entitled to this cloak of protection beyond peradventure of a doubt. She is the wife of a legendary character, as it were. Wherever she appears, great crowds surge around her. She is frightened, not for herself, because she is a woman of great fortitude and courage; but, I am informed, she is frightened for the sake of her children. I am sure the world will

never forget her stamina and her self-abnegation during the funeral of her late lamented husband. She has endured suffering that very few women can and should endure. The entire Nation has risen to applaud her.

The least we can do is to extend this protection which, as I said, will expire in a few months.

Mr. Kennedy would come in this picture because of the general legislation we adopt; namely, that widows and their dear ones should be protected for a period of 4 years after the death or resignation of a President. That would extend the protection to Mrs. Jacqueline Kennedy for an additional 2 years. That is deemed to be sufficient.

Members will find the cost of the protection shown on page 2 of the report. The U.S. Secret Service estimates the cost of protecting each former President at approximately $160,000 annually, and the cost of protecting Mrs. Kennedy and her minor children at approximately $210,000 annually.

I hope that this measure will be passed with a thumping majority.

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

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

Mr. GROSS. In all cases the cost figures set forth on page 2 would depend upon the travel by the individuals affected, would they not?

Mr. CELLER. That is true.

Mr. GROSS. It could be considerably more?

Mr. CELLER. It might be more and it might be less. It might go both ways.

Mr. GROSS. This would create permanent law. It would no longer be temporary?

Mr. CELLER. That is correct.

Mr. GROSS. It is subject only to the declination of the individuals involved?

Mr. CELLER. That is correct.

Mr. GROSS. I thank the gentlemen.

Mr. McCULLOCH. Mr. Speaker, I am pleased to join with my able chairman [Mr. CELLER] in support of this legislation. I should like to repeat what he said concerning the way the bill came from the committee.

The bill received a unanimous favorable report in the subcommittee which heard it. It received a unanimous favorable report in the full Judiciary Committee which has brought it to the floor of the House.

The chairman has accurately described the need for such legislation and he has told us accurately of the terms and provisions thereof.

I am sure that when the Congress passes this legislation by unanimous vote, it will be a great source of satisfaction to all the people involved. Particularly, the lovely and gracious Mrs. Kennedy will have a feeling of comfort and security for those two lovely children who have been threatened on at least one occasion. The generous people of our country will be happy that we took this timely legislative step.

I hope the measure will be unanimously passed today.

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

Mr. CELLER. Mr. Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill S. 2420.

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.

A similar House bill (H.R. 10386) was laid to the table.

PRESERVING EVIDENCE PERTAINING TO THE ASSASSINATION OF PRESIDENT KENNEDY

Mr. ROGERS of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9545) providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy, with committee amendments.

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 it is hereby declared that the national interest requires that the United States acquire all right, title, and interest, in and to, certain items of evidence, to be designated by the Attorney General pursuant to section 2 of this Act, which were considered by the President's Commission on the Assassination of President Kennedy (hereinafter referred to as "items"), and requires that those items be preserved by the United States.

SEC. 2. (a) The Attorney General is authorized to determine, from time to time, which items should, in conformity with the declaration contained in the first section of this Act, be acquired and preserved by the United States. Each such determination shall be published in the Federal Register.

(b) Whenever the Attorney General determines that an item should be acquired and preserved by the United States, all right, title, and interest in and to, that item shall be vested in the United States upon the publication of that determination in the Federal Register.

(c) The authority conferred upon the Attorney General by subsection (a) of this section to make determinations shall expire one year from the date of enactment of this Act, and the vesting provisions of subsection (b) of this section shall be valid only with respect to items described in determinations published in the Federal Register within that one-year period.

SEC. 3. The United States Court of Claims or the United States district court for the judicial district wherein the claimant resides shall have jurisdiction, without regard to the amount in controversy, to hear, determine, and render judgment upon any claim for just compensation for any item or interest therein acquired by the United States pursuant to section 2 of this Act; and where such claim is filed in the district court the claimant may request a trial by jury: *Provided,* That the claim is filed within one year from the date of publication in the Federal Register of the determination by the Attorney General with respect to such item.

SEC. 4. All items acquired by the United States pursuant to section 2 of this Act shall be placed under the jurisdiction of the Administrator of General Services for preservation under such rules and regulations as he may prescribe.

SEC. 5. All items acquired by the United States pursuant to section 2 of this Act shall be deemed to be personal property and records of the United States for the purposes of laws relating to the custody, administration, and protection of personal property and records of the United States, including, but not limited to, sections 2071 and 2112 of title 18 of the United States Code.

SEC. 6. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Colorado [Mr. ROGERS] will be recognized for 20 minutes, and the gentleman from Maryland [Mr. MATHIAS] will be recognized for 20 minutes. The Chair recognizes the gentleman from Colorado.

PURPOSE

Mr. ROGERS of Colorado. Mr. Speaker, the purpose of this bill is to authorize the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy.

In the course of its investigation of the assassination of President Kennedy, the Warren Commission acquired a large number of physical items pertaining to the assassination and related events. The most important of these belonged to Lee Harvey Oswald and his wife. The Commission recommended that a substantial number of these items of evidence, particularly those relating to the actual assassination of the President and the murder of Patrolman Tippit, should remain in the possession of the Government. In furtherance of this objective the Attorney General requested the introduction of this measure.

These items include the assassination weapon, the revolver involved in the murder of Officer Tippit, among other exhibits. The working papers, investigation reports, and transcripts of the Commission have been transmitted to the National Archives. The items of physical evidence are presently being retained in the custody of the Federal Bureau of Investigation.

The committee is persuaded that the national interest requires that these critical exhibits be permanently retained by the United States. It concurs in the view of the Attorney General that in years ahead allegations and theories concerning President Kennedy's assassination may abound. To eliminate questions and doubts the physical evidence should be securely preserved. A failure to do so could lead to loss, destruction or alteration of such exhibits and in time may serve to encourage irresponsible rumors undermining the public confidence in the work of the Warren Commission.

The authority conferred by this legislation is vital and needed promptly. One private party has already filed suit against the Attorney General for possession of the assassination weapon and

the .38 caliber revolver, claiming to have purchased all right and title from Mrs. Marina Oswald. The Government has not yet responded to the complaint.

The bill, H.R. 9545, would authorize the Attorney General to designate, by publication in the Federal Register, which items considered by the Warren Commission are required by the national interest to be acquired and preserved by the United States. All right and title to these items would vest in the United States upon the Attorney General's filing of the determination with the office of the Federal Register. This acquisition authority would expire 1 year after date of enactment. Under the bill, claims for just compensation must be filed within 1 year of the date of the filing of the Attorney General's designation. As originally drafted, the bill granted exclusive jurisdiction to the Court of Claims over claims for just compensation. The committee, however, amended the bill to provide concurrent jurisdiction in the Federal district court in the district wherein the claimant resides and also to permit the claimant in the district court to request a trial by jury.

As amended, the bill constitutes a measure essential in the national interest and the committee strongly urges its enactment.

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

Mr. ROGERS of Colorado. Yes. I yield to the gentleman.

Mr. GROSS. Why should the Government pay for any of these items that were submitted in evidence?

Mr. ROGERS of Colorado. The Constitution of the United States provides that property may not be taken without just compensation. Under this bill these items which are private property, may be acquired by the United States. The bill also authorizes that just compensation be paid to the individual who may own the item, by a suit brought in the Federal district court in the district in which he resides or in the Court of Claims.

Mr. GROSS. It is reported that the weapon used in the assassination was purchased for $10,000 by a collector. Are we to understand that with the passage of this bill the Federal Government would pay out $10,000 for permanent possession?

Mr. ROGERS of Colorado. No. I may state that a man by the name of John J. King, who resides in Denver, Colo., claims that he has an arrangement with Mrs. Oswald in connection with the assassination weapon and the pistol. Now, whatever arrangement he may have made with Mrs. Oswald is not the question of what is just compensation. The bill leaves that issue for the courts. If we try to restrict, limit or specify the amount of just compensation, there is some question as to whether or not the legislation itself would be constitutional. Therefore, we say "just compensation."

Mr. GROSS. Would this involve the weapon used by Ruby in the slaying of Oswald?

Mr. ROGERS of Colorado. What this bill provides is that the Attorney General shall within a 1-year period publish in the Federal Register the list of items that he believes should be preserved, which were considered by the Warren Commission. Many of these items considered by the Warren Commission are presently in the custody of the Federal Government.

We desire that they be retained here and if any individual claims that his property rights have been taken away from him the bill gives him a cause to action, so that he may go into court and assert his rights. The Government would retain the property and the claimant would get just compensation.

Mr. GROSS. Do I understand that a weapon used in a murder in the District of Columbia, confiscated by the police and used as evidence in court is returned to some member of his family?

Mr. ROGERS of Colorado. May I say to the gentleman that usually the question of what happens to a weapon that may have been used in the commission of a crime is something for State law. There is a specific procedure in the District of Columbia. Of course, the gentleman understands that the District of Columbia jurisdiction is not asserted in this matter. We are controlled by the law of the State of Texas. In this instance there was no conviction and no trial and the matter of trying to confiscate in such circumstances is not available to us.

Mr. GROSS. I thank the gentleman.

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

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. WHITENER. Mr. Speaker, bearing upon that point, as I remember, the Assistant Attorney General who met with the committee and who is a distinguished Texas lawyer, stated that unlike most States, Texas law had no confiscation provision for weapons used in criminal cases.

Mr. ROGERS of Colorado. That is correct. Furthermore, in this instance there was no prosecution and hence we could not have proceeded in that manner as we would wish if a State law provided for forfeiture.

Mr. WHITENER. Mr. Speaker, if the gentleman will yield further, I think the act which was passed by the Congress a short while ago would obviate this eventuality ever occurring again, because in the future this sort of conduct would constitute a Federal crime and the Federal law would be effective as to confiscation of weapons. So as I see it, this bill which we brought out of our subcommittee will take care of all the present cases, and in the future if such unfortunate happening should occur we will not need further legislation.

Mr. ROGERS of Colorado. I thank the gentleman for his contribution. I think he has outlined correctly that since we have made the assassination of the President a Federal crime we probably would not need this type of legislation in the future.

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

Mr. ROGERS of Colorado. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding. I wonder if the committee has considered the question of making this applicable to all future presidents, since it is going to be permanent legislation?

Mr. ROGERS of Colorado. The gentleman's question is, should we cover all items in connection with future assassinations? We discussed the matter, and as pointed out by the gentleman from North Carolina [Mr. WHITENER] just recently the President signed a bill which would make the assassination of the President a Federal offense.

Heretofore this was not a Federal offense. At the time the late President Kennedy was assassinated in Texas the assassin, if he had been prosecuted, would have been prosecuted under the laws of the State of Texas.

Mr. HALL. We are simply catching up with our previously unfinished business?

Mr. ROGERS of Colorado. That is correct.

Mr. HALL. Mr. Speaker, may I ask another question for the legislative record? Would, for example, the fragments of those ill-spent bullets that assassinated our late President, under this bill, necessarily be retrieved from the Armed Forces Institute of Pathology where I understand they now reside and have been the object of intensive ballistics research and study, which in turn is of some considerable scientific value?

Mr. ROGERS of Colorado. If I understand the gentleman's question, the gentleman will recognize that the President's Commission recommended that most of these items be acquired and preserved by the Federal Government. All of the evidence and everything in connection with it is now in the Federal custody. I believe that any ballistic analysis made would be reflected in the testimony before the Commission and that it has been filed with the Archives at the present time.

This legislation would place all of it under the jurisdiction of the General Services Administration.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I have read the Commission reports and this legislation, and I am glad to hear what the gentleman from Colorado says. It would be under the jurisdiction of the General Services Administrator, as designated by the Attorney General, as I understand it.

Mr. ROGERS of Colorado. I did not quite understand the statement of the gentleman.

Mr. HALL. My question is simply, could the Director of the General Services Administration, upon recommendation of the Attorney General, remove from the Armed Forces Institute of Pathology, for example, and from further ballistic study the fragmented and exended missiles, or bullets, or projectiles?

Mr. ROGERS of Colorado. If the gentelman will look at section 4 of the bill he will see that it provides that all items acquired by the United States, pursuant to section 2 of this act, shall be placed under the jurisdiction of the Administrator of the General Services Administration for preservation under such rules

and regulations as he may prescribe. Hence he is the custodian.

Mr. HALL. Would the gentleman agree with me that it would serve history well, as well as possibly even future scientific investigation of ballistics, if it were interpreted that such Director of the GSA could from time to time withdraw from the Archives and make available for such study as the Attorney General or the Director of the Armed Forces Institute of Pathology, or others, might request?

Mr. ROGERS of Colorado. Certainly. There would be nothing to keep him from doing it and I am confident that if it would advance any information to the public, there would be no question but that under his rules and regulations he could so prescribe.

Mr. HALL. I believe this represents a valuable record and I believe the deceased would want it so.

Mr. ROGERS of Colorado. Yes.

Mr. HALL. If the gentleman will yield further, do I understand that the Court of Claims will eventually set the fee for the Federal Government's acquisition of the actual firearms mentioned?

Mr. ROGERS of Colorado. The claimant whose property may be taken has an option as to whether to institute a suit in the district court of the United States in the district where in he resides or whether to file suit in the Court of Claims in the District of Columbia.

Mr. HALL. I thank the gentleman from Colorado.

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

Mr. Speaker, I, too, rise in support of this legislation and wish to associate myself with the remarks which have been made by the gentleman from Colorado [Mr. ROGERS], the distinguished chairman of the subcommittee which considered this legislation.

Mr. Speaker, I agree with the gentleman completely, that this legislation is necessary in the interest of history, and in the interest of any future calm and deliberate reevaluation of the events which surrounded the very tragic occurrence of the assassination of President Kennedy.

Mr. Speaker, some question has been raised here today about the possible cost to the Government. Of course, it is impossible to estimate what that cost might be. We are leaving it to the adjudication of the Court of Claims or an appropriate district court. In conformance with the Constitution, we are leaving it to a proper legal adjudication. But I would say whatever cost might be incurred would represent cost which must be met by the country and a cost which the country would want to meet. The items that will be paid for are somewhat grisly relics of a tragic moment in our national history. Nevertheless, they must be acquired without question.

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

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

Mr. BOGGS. I would like to commend the committee on reporting this bill, along with the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD]. I served on the Assassination Commission that he has described, a very sad and gruesome task. I saw these items not once, but many times, being discussed here this afternoon. As gruesome as it is, it would be very tragic, indeed, for these items—and that is the only word I know of to use in describing them—did not remain the property of the Government of the United States, so that for a great many reasons, the most compelling reason being that they were very vital in the evidence which the Commission used in its deliberations and in its determination.

I hope the House will pass this bill.

Mr. MATHIAS. I thank the gentleman for his contribution, for his observation, and for his personal experience. Certainly, our recollection of the Lincoln assassination, where there are certain missing links, would lead us to believe what we are doing today is important. Even more important is the principle mentioned by the gentleman from Colorado that we live in a government of law, that we deal with all citizens under the law with equal and impartial hand. Regardless of the circumstances, regardless of who may establish their ownership of the properties involved here, we are going to obey the supreme law of the land and pay just compensation.

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

Mr. MATHIAS. I yield to the gentleman from North Carolina.

Mr. WHITENER. I thank the gentleman. What he has said about the possible cost of the items of evidence to the Government is absolutely correct. I would point out to my colleagues that after we had studied the legislation proposed originally, it was the unanimous opinion, as I remember it, of the subcommittee that this determination as to cost should be left to a jury if the claimants desire to have a jury trial. We also felt that the original proposal that the Court of Claims have exclusive jurisdiction was not in keeping with what we thought was proper. For that reason we proposed that the claimant might bring action in the U.S. district court of his own district, where he could request a jury trial. I personally feel this gentleman from Colorado, Mr. King—whom I do not know—if he has paid $10,000 in a bona fide transaction it would not comport with my idea of justice that he should not get his $10,000 back. That is a matter for the courts to determine. We have our own theories as to what should be done on a monetary payment to the owner of the property. For that reason the committee very wisely left this to the constitutional test of just compensation, as that compensation is fixed by the court. The court may include a jury of plaintiff's peers, if he so desires. I do not know of any way we could proceed more considerately with any claimant, or any way we could do it which would insure greater justice to the Government than this bill provides.

I believe we can all agree it is essential that prompt action be taken if we are to preserve these historical items of property.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Colorado that the rules be suspended and the bill be passed.

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

AUTHORIZING FUNDS FOR THE PRESIDENT'S CRIME COMMISSION

Mr. WILLIS. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 102) to authorize funds for the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

The Clerk read as follows:

Whereas the President by Executive Order 11236 on July 23, 1965, established the Commission on Law Enforcement and Administration of Justice to study crime in the United States and to recommend ways to reduce and prevent it; and

Whereas the President by Executive Order 11234 on July 16, 1965, established the Commission on Crime in the District of Columbia to study the causes of crime and delinquency in the District of Columbia; and

Whereas there has been a steady increase in crime in the Nation as well as in the District of Columbia; and

Whereas there is a need to ascertain its causes and to develop methods which can be undertaken by Federal, State, and local governments to combat such crime: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $1,500,000 for the expenses of both the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Louisiana [Mr. WILLIS] will be recognized for 20 minutes and the gentleman from Virginia [Mr. POFF] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. WILLIS].

Mr. WILLIS. Mr. Speaker, this bill comes up by direction of the full House Committee on the Judiciary. It is an authorization bill coming within the jurisdiction of that committee, which has jurisdiction over matters relating to law enforcement and the prevention of crime.

The bill authorizes the appropriation of $1,500,000 to defray the expenses of the President's Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

The total amount involved is $1,500,000. Of that sum, $1,100,000 is authorized to defray the expenses of the Commission on Law Enforcement and Administration of Justice and $400,000 to carry out

the objectives of the District of Columbia Commission on Crime and Law Enforcement.

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

Mr. WILLIS. I yield to the gentleman.

Mr. BOW. Could the gentleman tell us something about the composition of this Commission and what the salaries are that are going to be paid?

Mr. WILLIS. These figures are set out on pages 7 and 8 of the committee report. They are broken down in this fashion.

For Commission members, travel and per diem and for meetings over an 18-month period—$67,000.

For citizens advisory committees, consultants, witnesses, for staff salaries, printing, general expenses, administrative services, contracts, and so on—they are all broken down in the committee report and the total is $1,100,000 for the National Commission.

On page 8 of the report, we have the breakdown of the District of Columbia Commission aggregating $400,000.

Mr. BOW. If the District of Columbia is about to take over its own government, what is the justification for the Federal Government and the taxpayers of the country to pay the $400,000 for the District of Columbia?

Mr. WILLIS. I would say, it is my hope if the bill the gentleman refers to comes to pass, that we should quickly pass this bill because it will not be repealed by that bill to come unless there is a move to repeal what we are doing today, and I doubt that it would prevail.

Mr. BOW. But as we do this and if there is this authorization, does the gentleman feel if the District of Columbia has its own government that the Federal Government wil be called upon to make an appropriation for the expenses of this so-called home rule government?

Mr. WILLIS. Any way we look at it, this bill will become law before action is taken on the bill the gentleman refers to. Therefore, this bill will be part of the law of the land and any bill that may come hereafter within the next 2 or 3 weeks or 2 or 3 days cannot override this bill.

Mr. BOW. It would seem to me it might be a good idea to hold up this $400,000 and to find out what is going to happen to that bill because if they want home rule and if they are going to have home rule, they ought to start paying their own bills.

Mr. WILLIS. If I had my way, I would think the situation should be reversed and this bill should be made a law first. In the second place, it would seem to me that even if the home rule bill is passed and becomes law, this bill that we are now considering could still be passed by the Congress.

Mr. BOW. Mr. Speaker, will the gentleman yield further?

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

Mr. BOW. It seems that we have a national commission for which we must spend $1 million. At the same time, it seems rather wrong to pick out the one city, which hopes to be under home rule, and to provide $400,000 for a study of crime in that city. Why not provide funds for some of the other cities in the country that have problems? Should not an amount of money be appropriated to them for that purpose? Why do we pick out the District of Columbia when other cities have similar problems?

Mr. WILLIS. I do not wish to look into the future too distantly. I consider the situation as it is today. Today we have authority to pass the bill that is before the House. I do not know what the House is likely to do next week, next month, or next year. But today I think the bill is a good bill. The two proposals are good. I, for one, am for law enforcement and crime prevention. I, for one, applaud the idea of setting up these commissions. I, for one, do not wish to stand in the way of any bona fide effort to have law enforcement and crime prevention. I doubt that we shall ever completely prevent crime. I doubt that we shall ever enforce law completely. But let us try to come as close to that ideal as possible.

Mr. BOW. I quite agree with the gentlemen. We are all against crime. We are hoping that something can be done to prevent it. We are hoping that the kind of legislation proposed will be helpful. But it would seem to me that we should take a hard look at these amounts authorized and how they will be used to attempt to solve the problem. I agree with the gentleman completely in his desire, but the real question, it seems to me, is whether we are paying out a lot of money for the purpose in salaries, or whether we are getting some experts to help.

I am concerned about such questions as what the compensation of the members of the commission will be and what the top grades will be.

I thank the gentleman for his explanation.

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

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

Mr. GROSS. I wonder if we can ever attain the goal of reducing crime without some real cooperation from the judiciary.

Mr. WILLIS. The gentleman's "wonder" is justified and well founded. We must have a lively judicial branch of the Government pursue the enforcement of law. There is no question about it.

Mr. GROSS. The gentleman from Ohio [Mr. Bow] questioned the authorization of $400,000 for a study of crime in the District of Columbia to the exclusion of, say, Los Angeles. I imagine a crime investigation is needed in Los Angeles as well as other cities in the country. I do not understand on what grounds we would be justified in expending $400,000 of the taxpayers' money in the District of Columbia for a study of crime. I would go further and ask the gentleman if it is not a fact that some kind of white paper on crime in the District of Columbia is now in existence. No one seems to be able to get a copy of it. Or am I wrong in that statement? Does the committee have such a report? Has a report on crime been made available to the committee?

Mr. WILLIS. I am unaware of such a report. I should like to repeat what I said a moment ago. The Judiciary Committee has jurisdiction over crime legislation generally. Therefore, it has jurisdiction over authorizing the proposed expenditures. Notwithstanding our obvious jurisdiction, I took the precaution of talking to the chairman of the District of Columbia Committee in connection with that authorization. He certainly has no objection to the proposed action.

The gentleman has referred to Los Angeles. I think we are both on the right track. As conditions exist today, Congress has jurisdiction over the District of Columbia, so we are taking the proposed action. As of today, the authorities in California have jurisdiction over Los Angeles. I was pleased to learn that the Governor and the city fathers there have created some kind of a commission in that area.

Mr. GROSS. I have not received word yet that the Federal taxpayers are being asked to underwrite the crime commission in Los Angeles. That is all to the good. I am not advocating that the Federal Government get into the business of investigating the crime situation in Los Angeles or any other city.

For that reason I do not understand why the Federal taxpayers are called upon always to come to the rescue of the District of Columbia. This is particularly true, as the gentleman from Ohio [Mr. Bow] so well suggested, when we apparently are on the way to some form of home rule in the District of Columbia. I believe this part of the bill ought to be withheld until we find out what kind of determination is going to be made by Congress with respect to home rule in the District of Columbia.

Mr. WILLIS. I do not want to lull the gentleman into a sense of complete security in any belief that the people of California are not going to come around to ask the Federal Government to foot a part of their bill. I do not know about that.

As Will Rogers said of the weather, "If you don't like it, wait a while; it might change."

Mr. GROSS. To lend some credence to what the gentleman is saying, they are already employing some 2,000 people out there.

Mr. WILLIS. I do not know what proposals might be made in this body or in the other body in the future.

I might say—which may or may not have influence on the gentleman from Ohio and the membership generally—that this bill comes from the Senate and has already been acted upon there. It is a proposal by the senior Senator from North Carolina [Mr. ERVIN]. The Senate has already acted on this bill.

Mr. GROSS. Of course, in some cases that is not the best recommendation in the world for legislation.

Mr. WILLIS. I was very cautious to preface my remarks with that qualification.

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

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

Mr. CRAMER. As to the National Commission, the Executive order establishing it, a copy of which I have just been handed, Executive Order No. 11236, raises a question. Does the gentleman know whether that specifically includes requirement that such a National Crime Commission consult with State and local authorities? I do not see that on a quick examination of the Executive order.

Mr. WILLIS. I have not really given hard study to the Executive order. It is my impression, and in that impression I am fortified by counsel, that the answer to the inquiry is "no."

Mr. CRAMER. That is what I understood, from a cursory examination of the Executive order and an examination of the composition of the Commission. It appears to me that what is left out is the necessity for and the requirement of consulting with State and local law enforcement authorities in an effort to get their recommendations to this National Commission. This is particularly significant in view of the fact that the authority for such a Commission includes suggestions with respect to what law enforcement authority standards should be set, the standards for employment of policemen and law enforcement authorities.

It would seem to me that a discussion with and consideration of recommendations by State and local authorities—as well as membership on the Commission by some acknowledged, outstanding State and local law enforcement authorities—would be a necessity. I fail to understand why it is not incorporated in the Executive order or in the composition of the Commission itself.

Mr. WILLIS. I would say that with reference to consultations with local and State officials, I believe that is completely understood and to be implied from the Executive order itself, especially the two paragraphs before the concluding paragraph on the very first page; namely, paragraphs (1) and (2) of section 2.

I think that is completely implied. It necessarily will happen.

Mr. CRAMER. I am sure the gentleman realizes my purpose in interrogating along this line is to try, if in fact it does not so state—and I do not believe it does, as the gentleman himself previously agreed—as a matter of legislative record to show that it is the wish of the House that State and local law enforcement authorities be consulted with regard to such recommendations. Hopefully, perhaps, consideration will be given to enlarging the membership to include some such individual.

Mr. WILLIS. If my voice can add anything to the legislative history, I will say at this time that unless I felt there would be such consultations, I would not be here advocating the passage of this bill.

Mr. CRAMER. I felt that was the gentleman's position, and I am glad to get the record clear with respect to that.

I would like to ask an additional question of the gentleman. As the gentleman knows, I was the cosponsor of the anticrime legislation some of which passed and some of which did not pass the Congress 3 or 4 years ago. It was very consequential legislation in this field. As a matter of fact, I went a step further than this and recommended and introduced legislation 4 years ago to establish a National Crime Commission through legislation which, incidentally, would have State and local representative memberships on it.

Mr. WILLIS. The gentleman planted a seed which we are today enjoying the fruits of, I hope.

Mr. CRAMER. I thank the gentleman for making that statement. It was my hope such Commission would be established by the Congress as a legislative matter than that an executive branch determination, feeling that in so doing all areas that have jurisdiction in interest would of necessity be consulted.

Mr. WILLIS. I may say that perhaps the Chief Executive has in mind that he has kept us so busy on other matters he will handle this for himself.

Mr. CRAMER. May I ask one additional question of the gentleman? Of course, I am all for this Commission and for implementing it and for providing adequate funds for it. I believe it is an essential function. However, does the gentleman have hopes, as I do, that the so-called White House white paper on crime, which we as Members of Congress have seen discussed in the press—apparently some of the press have been permitted to see it and others have not and certain interpretations of what is in it have been stated in there as it relates to what the causes of crime are, this being a study that was directed by the White House but the report on which we have not received in the Congress nor has the general public except through leaks to the press—does he believe this Commission, will now be able to see this?

As I read one leak in the press, that reporter interpreted the report as basically suggesting in some of these ghettos and serious crime problem areas one of the principal causes for this condition is the lack of continuous and proper family supervision of the people involved in crime. Another suggestion is that this was not what the report indicated at all but, rather, it occurs because they do not have proper housing or employment and so forth. I would like to know do you think this Commission will be able to see this report? Certainly the public and this Congress have not been permitted to do so.

Mr. WILLIS. I would hope so, and it would be my expectation, if such a report exists, that it will be exhibited to the Commission.

Mr. CRAMER. Maybe by that means we can get some idea in Congress of what the executive study of the causes of crime in these areas might be.

Mr. WILLIS. It is always helpful to get something indirectly when you cannot get it directly.

Mr. CRAMER. I thank the gentleman.

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

Mr. Speaker, I support this legislation, and I do so because I am interested in the results which can be achieved by these two Commissions. I think it incumbent upon me, however, to call the attention of the membership of the House to a procedure which I regard as unfortunate and inadvisable and one which I hope will not be repeated in the future.

It will be seen from an examination of the bill that the legislation undertakes in one fell swoop to authorize expenditures for two separate Commissions. In this particular case it happens that these two Commissions serve a similar function, indeed one complements the other. But, Mr. Speaker, I can imagine if this is allowed to stand unquestioned as a precedent, that hereafter the Congress may be asked to authorize not 2, but 6 or 12 or 50 executive agencies, perhaps none of which bears any relationship one to the other. I think this is bad practice and should not, and so far as I am concerned will not, be recognized as a precedent.

The reason it is bad is because in the case I put as an example it might be that Members would regard 12 of 14 proposed agencies as good and the other 2 as inadvisable, but acting upon it as a package would be compelled to vote for the whole package or against the whole package. The questions and comments of the distinguished gentleman from Florida, who has been a leader in the field of Federal criminal legislation, illustrates the imprudence of the legislative procedure followed in connection with this matter.

I further call attention to the fact that when the request was made for Congress to consider this legislation the Department concerned made no effort, none whatever, to justify the moneys which were being requested. Indeed, the Department requested a lump-sum authorization for both commissions, and it was only after protest was made in the subcommittee——

Mr. WILLIS. Mr. Speaker, if the gentleman will allow me, I want to relieve the gentleman from saying that he was responsible. That should come from me.

Mr. POFF. I thank my chairman, and I appreciate his comment. I am sure that my chairman shared my concern that no effort had been made to make separate justifications. As pointed out in the letter incorporated in the committee report, the department will have to justify expenditures, in minute detail, before the Committee on Appropriations. Yet I think that the legislative committee, when it considers the advisability of favorably recommending other authorizing legislation, should have the benefit of the specific and particular plans that the Department has.

After the subcommittee had registered that protest, I am happy to say, the Department responded and the information will be found set forth in detail in the report.

Mr. Speaker, you will also find in the report one of the Executive orders mentioned in the bill. Through a simple inadvertence the other Executive order—that is to say, Executive Order No. 11236—was omitted from the committee report. Accordingly, I ask unanimous consent to insert at this point in the RECORD the contents of that Executive order.

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

There was no objection.

(The matter referred to follows:)

THE WHITE HOUSE.

EXECUTIVE ORDER NO. 11236 ESTABLISHING THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE

By virtue of the authority vested in me as President of the United States it is ordered as follows:

Section 1. Establishment of Commission: (a) There is hereby established the President's Commission on Law Enforcement and Administration of Justice (hereafter referred to as the "Commission").

(b) The Commission shall be composed of such members, not to exceed 20, as the President shall appoint, one of whom shall be designated by the President as the Chairman. The members and Chairman of the Commission shall serve at the pleasure of the President.

(c) The President shall appoint an Executive Secretary, who shall receive such compensation as the President shall specify. The functions and duties of the Executive Secretary shall be prescribed by the Commission.

Section 2. Functions of Commission: The Commission shall:

(1) Inquire into the causes of crime and delinquency, measures for their prevention, the national, State, and local levels, and administration of justice, and the factors encouraging respect or disrespect for law, at the national, State, and local levels, and make such studies, conduct such hearings, and request such information as it deems appropriate for this purpose.

(2) Develop standards and make recommendations for actions which can be taken by the Federal, State, and local governments, and by private persons and organizations, to prevent, reduce, and control crime and increase respect for law, including, but not limited to, improvements in training and qualifications of personnel engaged in law enforcement and related activities, improvements in techniques, organization, and administration of law enforcement activities, improvements in the administration of justice, improvements in correction, and rehabilitation of convicted offenders and juvenile delinquents, promotion of better understanding between law enforcement officials and other members of the community, and promotion of greater respect for law throughout the community.

Section 3. Executive departments and agencies; Judiciary: The Attorney General, the Secretary of the Treasury, the Secretary of Health, Education, and Welfare, and the Director of the Office of Economic Opportunity each shall designate a representative to serve with the Commission as liaison. All executive departments and agencies shall cooperate with the Commission and furnish it such information and assistance, not inconsistent with law, as it may require in the performance of its functions and duties. The Commission shall consult, as it deems appropriate, with members of the Federal, State, and local judiciary and their assistants concerning matters of common interest.

Section 4. Appointment of committees: The Chairman of the Commission, after consultation with the other members, and at such times as the Commission may deem appropriate, shall constitute citizens advisory committees (hereafter referred to as the committees) composed of persons (including persons from State and local governments and other public and voluntary organizations) who are authorities in professional or technical fields related to crime or juvenile delinquency, or persons representative of the general public who are leaders in activities concerned with crime or juvenile delinquency. The committees, and persons who are members, shall serve at the pleasure of the Commission.

Section 5. Functions of committees: The committees shall furnish the Commission information, advice, and recommendations with respect to the functions set forth in section 2 of this order and shall engage in such other activities as the Commission may deem appropriate.

Section 6. Compensation, personnel, and finance: (a) Members of the Commission not otherwise employed by the United States shall receive $100 per diem when engaged in the performance of duties pursuant to this order, and shall be allowed travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 55a; 5 U.S.C. 73b–2) for persons employed intermittently.

(b) The Commission is authorized to appoint and fix the compensation of such other personnel as may be necessary to enable it to carry out its functions.

(c) The Commission is authorized to obtain services, including the services of individuals as members of committees, in accordance with the provisions of section 15 of the act of August 2, 1946 (5 U.S.C. 55a), at rates for individuals not to exceed $100 per diem.

(d) All necessary expenses incurred in connection with the work of the Commission shall be paid from the special projects fund of the President or such other appropriated funds as may be available for the purposes of the Commission.

Section 7. Administrative services: The General Services Administration shall provide administrative services for the Commission on a reimbursable basis.

Section 8. Reports to the President and termination: The Commission shall make reports and recommendations to the President from time to time as it deems suitable and shall present a final report and recommendations not later than 18 months from the date of this order. The Commission shall terminate not later than 90 days after presenting such final report and recommendations.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *July 23, 1965.*

Mr. POFF. Mr. Speaker, I have no further requests for time, but pending use of the time by our distinguished chairman of the subcommittee, I reserve the balance of my time.

Mr. WILLIS. Mr. Speaker, I yield such time as he may require to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, I rise in support of Senate Joint Resolution 102. There is indeed a need to ascertain the causes for the increases in crime in our country and particularly in the District of Columbia. I have introduced, long ago, legislation to ascertain these causes and to seek methods of combating crime. Remedies are long overdue and I sincerely hope this legislation is promptly enacted.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the joint resolution, Senate Joint Resolution 102?

The question was taken; and the Speaker pro tempore announced that in the opinion of the Chair, two-thirds had voted in the affirmative.

Mr. HALL. 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—ayes 339, nays 0, not voting 93, as follows:

[Roll No. 265]

AYES—339

Abbitt	Fallon	McFall
Abernethy	Farbstein	McGrath
Adams	Farnsley	McVicker
Addabbo	Fascell	Machen
Albert	Findley	Mackay
Anderson, Ill.	Fino	Mahon
Anderson, Tenn.	Fisher	Mailliard
Andrews, Glenn	Flynt	Marsh
Andrews, N. Dak.	Fogarty	Martin, Nebr.
Annunzio	Foley	Mathias
Arends	Ford, Gerald R.	Matsunaga
Ashley	Ford, William D.	Matthews
Ashmore	Fountain	Meeds
Aspinall	Fraser	Michel
Ayres	Friedel	Miller
Baldwin	Fulton, Pa.	Minish
Bandstra	Fuqua	Mink
Bates	Gallagher	Minshall
Battin	Garmatz	Mize
Beckworth	Gathings	Moeller
Belcher	Gettys	Monagan
Bell	Giaimo	Moore
Bennett	Gibbons	Moorhead
Betts	Gilbert	Morgan
Bingham	Gilligan	Morris
Blatnik	Gonzalez	Morrison
Boggs	Green, Oreg.	Morse
Boland	Green, Pa.	Morton
Bow	Greigg	Mosher
Brademas	Grider	Moss
Bray	Griffin	Multer
Brock	Gross	Murphy, Ill.
Brooks	Grover	Murphy, N.Y.
Broomfield	Gubser	Natcher
Broyhill, N.C.	Gurney	Nedzi
Broyhill, Va.	Hagan, Ga.	Nelsen
Buchanan	Hagen, Calif.	O'Brien
Burke	Haley	O'Hara, Ill.
Burleson	Hall	O'Hara, Mich.
Burton, Calif.	Halleck	O'Konski
Burton, Utah	Halpern	Olsen, Mont.
Byrne, Pa.	Hamilton	Olson, Minn.
Byrnes, Wis.	Hanley	O'Neill, Mass.
Cabell	Hansen, Idaho	Ottinger
Cahill	Hansen, Iowa	Passman
Callan	Hansen, Wash.	Patten
Callaway	Hardy	Pelly
Carter	Harris	Perkins
Casey	Harsha	Philbin
Cederberg	Harvey, Ind.	Pickle
Clancy	Harvey, Mich.	Pike
Clark	Hathaway	Poff
Clausen, Don H.	Hays	Pool
Cleveland	Hechler	Price
Clevenger	Helstoski	Pucinski
Cohelan	Henderson	Purcell
Collier	Herlong	Quie
Colmer	Hicks	Race
Conable	Holifield	Randall
Conte	Horton	Redlin
Conyers	Hosmer	Reid, N.Y.
Cooley	Hull	Reinecke
Corbett	Huot	Reuss
Cramer	Ichord	Rhodes, Ariz.
Culver	Irwin	Rhodes, Pa.
Curtin	Jarman	Rivers, S.C.
Curtis	Jennings	Rivers, Alaska
Dague	Joelson	Robison
Daniels	Johnson, Calif.	Rodino
Davis, Ga.	Johnson, Okla.	Rogers, Colo.
Davis, Wis.	Johnson, Pa.	Rogers, Fla.
Dawson	Jonas	Rogers, Tex.
Delaney	Jones, Ala.	Ronan
Denton	Karsten	Rooney, N.Y.
Devine	Karth	Rooney Pa.
Dickinson	Kastenmeier	Rosenthal
Dingell	Keith	Roudebush
Dole	Kelly	Roush
Donohue	King, Calif.	Roybal
Dorn	King, N.Y.	Rumsfeld
Dow	King, Utah	Satterfield
Dowdy	Kluczynski	St Germain
Downing	Krebs	St. Onge
Dulski	Kunkel	Scheuer
Duncan, Oreg.	Laird	Schisler
Duncan, Tenn.	Langen	Schmidhauser
Dyal	Latta	Schneebeli
Edmondson	Leggett	Schweiker
Edwards, Calif.	Lennon	Scott
Ellsworth	Lipscomb	Secrest
Erlenborn	Long, La.	Senner
Evans, Colo.	Long, Md.	Shriver
Everett	Love	Sickles
Evins, Tenn.	McCulloch	Sikes
	McDade	Skubitz
	McDowell	Smith, Calif.
	McEwen	Smith, Iowa
		Smith, N.Y.

Smith, Va.	Trimble	Whalley
Springer	Tunney	White, Idaho
Stafford	Tupper	White, Tex.
Staggers	Tuten	Whitener
Stalbaum	Udall	Whitten
Stanton	Ullman	Widnall
Steed	Utt	Williams
Stratton	Van Deerlin	Willis
Stubblefield	Vigorito	Wilson, Bob
Sullivan	Vivian	Wolff
Talcott	Waggonner	Wright
Taylor	Walker, Miss.	Wyatt
Teague, Calif.	Walker, N. Mex.	Wydler
Teague, Tex.	Watkins	Yates
Tenzer	Watson	Young
Thompson, N.J.	Watts	Younger
Thomson, Wis.	Weltner	

NAYS—0

NOT VOTING—93

Adair	Goodell	O'Neal, Ga.
Andrews, George W.	Grabowski	Patman
Ashbrook	Gray	Pepper
Baring	Griffiths	Pirnie
Barrett	Hanna	Poage
Berry	Hawkins	Powell
Bolling	Hébert	Quillen
Bolton	Holland	Reid, Ill.
Bonner	Howard	Reifel
Brown, Calif.	Hungate	Resnick
Cameron	Hutchinson	Roberts
Carey	Jacobs	Roncalio
Celler	Jones, Mo.	Roosevelt
Chamberlain	Kee	Rostenkowski
Chelf	Keogh	Ryan
Clawson, Del	Kirwan	Saylor
Corman	Kornegay	Selden
Craley	Landrum	Shipley
Cunningham	Lindsay	Sisk
Daddario	McCarthy	Slack
de la Garza	McClory	Stephens
Dent	McMillan	Sweeney
Derwinski	Macdonald	Thomas
Diggs	MacGregor	Thompson, Tex
Dwyer	Mackie	Todd
Edwards, Ala.	Madden	Toll
Farnum	Martin, Ala.	Tuck
Feighan	Martin, Mass.	Vanik
Flood	May	Wilson, Charles H.
Frelinghuysen	Mills	Zablocki
Fulton, Tenn.	Murray	
	Nix	

So (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Keogh with Mr. Kirwan.
Mr. Hébert with Mr. Adair.
Mr. Toll with Mr. Saylor.
Mr. Roncalio with Mr. Hutchinson.
Mr. Rostenkowski with Mr. Nix.
Mr. George W. Andrews with Mr. Edwards of Alabama.
Mr. Fulton of Tennessee with Mr. Martin of Alabama.
Mrs. Griffiths with Mrs. Dwyer.
Mr. Charles H. Wilson with Mr. Del Clawson.
Mr. Vanik with Mr. Goodell.
Mr. Barrett with Mrs. May.
Mr. Cameron with Mr. Lindsay.
Mr. Bonner with Mr. Derwinski.
Mr. Carey with Mr. Frelinghuysen.
Mr. Macdonald with Mrs. Bolton.
Mr. Tuck with Mr. Quillen.
Mr. Slack with Mr. Reifel.
Mr. Roosevelt with Mr. MacGregor.
Mr. Pepper with Mr. McClory.
Mr. Feighan with Mr. Ashbrook.
Mr. Sweeney with Mrs. May.
Mr. Todd with Mr. Chamberlain.
Mr. Zablocki with Mr. Cunningham.
Mr. Madden with Mr. Martin of Massachusetts.
Mr. Flood with Mr. Berry.
Mr. Powell with Mr. Daddario.
Mr. Ryan with Mr. Pirnie.
Mr. Kee with Mr. Holland.
Mr. Stephens with Mr. Baring.
Mr. O'Neal of Georgia with Mr. Brown of California.
Mr. Corman with Mr. Hungate.
Mr. Roberts with Mr. Sisk.
Mr. Dent with Mr. Shipley.
Mr. Celler with Mr. Selden.
Mr. McCarthy with Mr. Thomas.
Mr. Mills with Mr. Thompson of Texas.
Mr. Chelf with Mr. Jacobs.
Mr. Jones of Missouri with Mr. McMillan.
Mr. Mackie with Mr. Grabowski.
Mr. Patman with Mr. Hanna.
Mr. Gray with Mr. Farnum.
Mr. Craley with Mr. Diggs.
Mr. Poage with Mr. Resnick.
Mr. Kornegay with Mr. Landrum.
Mr. de la Garza with Mr. Hawkins.

Mr. HALL 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.

COPYRIGHT OFFICE FEES

Mr. WILLIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2853) to amend title 17, United States Code, with relation to the fees to be charged.

The Clerk read as follows:

H.R. 2853

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 211 of title 17, United States Code, is amended by substituting the amount "$75" in lieu of the amount "$25".

SEC. 2. Section 215 of said title 17, United States Code, is amended to read as follows:

"FEES.—The Register of Copyrights shall receive, and the persons to whom the services designated are rendered shall pay, the following fees:

"For the registration of a claim to copyright in any work, including a print or label used for articles of merchandise, $6; for the registration of a claim to renewal of copyright, $4; which fees shall include a certificate for each registration: *Provided,* That only one registration fee shall be required in the case of several volumes of the same book published and deposited at the same time: *And provided further,* That with respect to works of foreign origin, in lieu of payment of the copyright fee of $6 together with one copy of the work and application, the foreign author or proprietor may at any time within six months from the date of first publication abroad deposit in the Copyright Office an application for registration and two copies of the work which shall be accompanied by a catalog card in form and content satisfactory to the Register of Copyrights.

"For every additional certificate of registration, $2.

"For certifying a copy of an application for registration of copyright, and for all other certifications, $3.

"For recording every assignment, agreement, power of attorney or other paper not exceeding six pages, $5; for each additional page or less, 50 cents; for each title over one in the paper recorded, 50 cents additional.

"For recording a notice of use, or notice of intention to use, $3, for each notice of not more than five titles; and 50 cents for each additional title.

"For any requested search of Copyright Office records, works deposited, or other available material, or services rendered in connection therewith, $5, for each hour of time consumed."

SEC. 3. This Act shall take effect thirty days after its enactment.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. WILLIS. Mr. Speaker, as I have just indicated, this bill would not cost money. It would bring in money. It would slightly increase fees in connection with the operation of the Copyright Office. I might mention that the Copyright Office is a subagency of the Congressional Library, which, in turn, is a legislative agency and not an executive agency. The Copyright Office fees are so much for registration and so much for certified copies and so on, which have not been raised since 1948.

In the meanwhile costs have increased substantially. The resulting decline in the ratio of Copyright Office fees to costs has caused concern on the part of the Committee on Appropriations over the years. At present the Copyright Office is only 63 percent self-sufficient.

The bill under consideration was introduced by the gentleman from Oklahoma [Mr. STEED] who is a senior member of that particular Subcommittee on Appropriations.

As I said, it would, generally, increase the fees presently charged. For example, it would increase the registration fee from $4 to $6, and so on, all resulting in making the Copyright Office about 80 percent self-sufficient as compared to about 63 percent.

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

Mr. WILLIS. I yield to the gentleman.

Mr. GROSS. Mr. Speaker, I note that the catalog price is increased from $25 to $75, by the terms of this bill.

Mr. WILLIS. That is right. That is obviously a large increase, percentagewise. Of course, that is the maximum. But these figures were worked up by the Library of Congress and that is their recommendation based on their experience. I did not undertake to go back of what they thought was required.

Mr. GROSS. I think the important question is, how often this catalog is revised and reissued.

Mr. WILLIS. Annually.

Mr. GROSS. So it would be a $75 fee to those interested instead of $25 each year?

Mr. WILLIS. As a maximum for all the catalogs; not necessarily $75.

Mr. Speaker, I yield such time as he may require to the author of the bill, the gentleman from Oklahoma [Mr. STEED].

Mr. STEED. Mr. Speaker, as you know, the Copyright Office is required by mandate of the Congress to compel the users of its services to pay a substantial part of its operating costs. As a matter of fact, over the years, the desire has been to keep the revenues taken in by the Copyright Office within 4 percent of the total cost of operating that agency. The costs have gone up so much in recent years and there has been no rate adjustment since 1948. So the Copyright Office is far below the desired point of relationship between outgo and income. Unless these rates are increased the Copyright Office is going to find it vir-

tually impossible to continue to render the service it was set up to do.

There have been times when the Copyright Office returned a profit to the Treasury. But for several years now it has been running deeper and deeper in the hole.

I introduced the bill because for many years I handled the budget for the Library of Congress and we found it almost imposible to cope with the situation. The only recourse under the law as it now stands is to increase the fees they are to charge, and because of that I think it is most important that we enact this legislation today.

Mr. POFF. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, Members have been receiving a great deal of mail concerning copyright. I think it is important to emphasize that this bill is not the legislation about which your constituents have been writing. Although it is a part of the omnibus copyright revision legislation, the legislation before the House today makes no substantive changes whatever in copyright law.

As the distinguished chairman of the subcommittee has explained, it makes certain increases in the fees required to be paid to the Copyright Office which are long overdue.

The present statutory fees of the Copyright Office, which have remained unchanged for 17 years, do not reflect the continuously spiraling increase in the general price level over that span of time. The decrease in the ratio of return to the Government from the present fee schedule during that period has caused concern to the Appropriations Committees of this House and the other body as well as many Members of Congress. The bill now before you, H.R. 2853, has the express purpose of relieving this fiscally unsound situation by producing a more appropriate ratio between Copyright Office fees and expenditures.

After the last fee revision in 1948, Copyright Office income kept pace with the expenditures for only 1 year. Since fiscal year 1950 the ratio of the applied fees to expenditures has dropped from 100 to 63 percent for the fiscal year just ended, 1965. It is this downward trend that has given rise to the concern of the Appropriations Committee.

The cause of this decline, it seems clear, is that the Office's operating costs have increased at a considerably faster rate than the cash income from fees. For example, the income from fees in the fiscal year 1965 was only some 44 percent greater than the fees received in fiscal year 1949, but the appropriations for the Office were some 144 percent greater in 1965 than in 1949. The continued upward trend of our economy was of course a principal factor, as reflected by an increase in the average annual salary of the employee of the Office from $3,518 in 1949 to $6,880 in 1965, an increase of 95 percent. The increase in staff was only 20 percent—from 211 to 255—during this period, although the total registrations—which are an indication of the activity of the Office—increased some 45 percent. Other major factors in the increased costs were the accelerated upward trend in miscellaneous costs such as the printing of the Catalog of Copyright Entries and contributions under the 1957 amendments to the Retirement Act. These costs rose some 150 percent between 1953 and fiscal year 1965.

Allowing for an expected drop in the number of registrations, which normally follows a fee increase, it is estimated that the fee schedule provided in the bill would return to the Government approximately 80 percent of the moneys appropriated to the Office. This percentage is in line with the 75 percent of return provided for in the recently enacted Patent Office fee bill.

Mr. Speaker, the need for this legislation is clear and I urge its passage.

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

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

The SPEAKER pro tempore. The question is on the motion of the gentleman from Louisiana that the House suspend the rules and pass the bill H.R. 2853, 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.

TO PROVIDE FOR THE ESTABLISHMENT OF THE SPRUCE KNOB-SENECA ROCKS NATIONAL RECREATION AREA

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to vacate the proceedings whereby the bill (S. 7) to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes, was read a third time and passed for the purpose of offering an amendment.

The Clerk read the title of the Senate bill.

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of S. 7 to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation area, in the State of West Virginia, and for other purposes.

The Clerk read the title of the Senate bill.

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

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

S. 7

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide for the public outdoor recreation use and enjoyment thereof by the people of the United States, the Secretary of Agriculture shall establish the Spruce Knob-Seneca Rocks National Recreation Area in the State of West Virginia.

SEC. 2. The Secretary of Agriculture (hereinafter called the "Secretary") shall—

(1) designate as soon as practicable after this Act takes effect the Spruce Knob-Seneca Rocks National Recreation Area within and adjacent to, and as a part of, the Monongahela National Forest in West Virginia comprised of the area including Spruce Knob, Smoke Holes, and Seneca Rocks, and lying primarily in the drainage of the South Branch of the Potomac River, the boundaries of which shall be those shown on the map entitled "Proposed Spruce Knob-Seneca Rocks National Recreation Area", dated March 1965, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture; and

(2) publish notice of the designation in the Federal Register, together with a map showing the boundaries of the recreation area.

SEC. 3. (a) The Secretary shall acquire by purchase with donated or appropriated funds, by gift, exchange, condemnation, transfer from any Federal agency, or otherwise, such lands, waters, or interests therein within the boundaries of the recreation area as he determines to be needed or desirable for the purposes of this Act. For the purpose of section 6 of the Act of September 3, 1964 (78 Stat. 897, 903), the boundaries of the Monongahela National Forest, as designated by the Secretary pursuant to section 2 of this Act, shall be treated as if they were the boundaries of that forest on January 1, 1965. Lands, waters, or interests therein owned by the State of West Virginia or any political subdivision of that State may be acquired only with the concurrence of such owner.

(b) Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in implementing the purposes of this Act.

(c) In exercising his authority to acquire lands by exchange the Secretary may accept title to non-Federal property within the recreation area and convey to the grantor of such property any federally owned property in the State of West Virginia under his jurisdiction.

SEC. 4. (a) After the Secretary acquires an acreage within the area designated pursuant to paragraph (1) of section 2 of this Act that is in his opinion efficiently administrable to carry out the purposes of this Act, he shall institute an accelerated program of development of facilities for outdoor recreation. Said facilities shall be so devised to take advantage of the topography and geographical location of the lands in relation to the growing recreation needs of the people of the United States.

(b) The Secretary may cooperate with all Federal and State authorities and agencies that have programs which will hasten completion of the recreation area and render services which will aid him in evaluating and effectuating the establishment of adequate summer and winter outdoor recreation facilities.

SEC. 5. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote, or is compatible with, and does not significantly impair the purposes for which the recreation area is established.

SEC. 6. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Spruce Knob-Seneca Rocks National Recreation Area in accordance with applicable Federal and State laws. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment, and shall issue regulations after consultation with the Department of Natural Resources of the State of West Virginia.

AMENDMENT OFFERED BY MR. STAGGERS

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

The Clerk read as follows:

An amendment offered by Mr. STAGGERS: Strike out all after the enacting clause of S. 7 and insert in lieu thereof the text of H.R. 10330 with the committee amendment, as follows:

"That, in order to provide for the public outdoor recreation use and enjoyment thereof by the people of the United States, the Secretary of Agriculture shall establish the Spruce Knob-Seneca Rocks National Recreation area in the State of West Virginia.

"SEC. 2. The Secretary of Agriculture (hereinafter called the 'Secretary') shall—

"(1) designate as soon as practicable after this Act takes effect the Spruce Knob-Seneca Rocks National Recreation Area within and adjacent to, and as a part of, the Monongahela National Forest in West Virginia, not to exceed in the aggregate one hundred thousand acres comprised of the area including Spruce Knob, Smoke Hole, and Seneca Rock, and lying primarily in the drainage of the South Branch of the Potomac River, the boundaries of which shall be those shown on the map entitled 'Proposed Spruce Knob-Seneca Rocks National Recreation Area', dated March 1965, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture; and

"(2) publish notice of the designation in the Federal Register, together with a map showing the boundaries of the recreation area.

"SEC. 3. (a) The Secretary shall acquire by purchase with donated or appropriated funds, by gift, exchange, condemnation, transfer from any Federal agency, or otherwise, such lands, waters, or interests therein within the boundaries of the recreation area as he determines to be needed or desirable for the purposes of this Act. For the purposes of section 6 of the Act of September 3, 1964 (78 Stat. 897, 903), the boundaries of the Monongahela National Forest, as designated by the Secretary pursuant to section 2 of this Act, shall be treated as if they were the boundaries of that forest on January 1, 1965. Lands, waters, or interests therein owned by the State of West Virginia or any political subdivision of that State may be acquired only with the concurrence of such owner.

"(b) Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in implementing the purposes of this Act.

"(c) In exercising his authority to acquire lands by exchange the Secretary may accept title to non-Federal property within the recreation area and convey to the grantor of such property any federally owned property in the State of West Virginia under his jurisdiction.

"(d) The portion of the moneys paid to the State of West Virginia under the provisions of section 13 of the Act of March 1, 1911, as amended (16 U.S.C. 500), for expenditure for the benefit of Pendleton and Grant Counties, West Virginia, may be expended as the State legislature may prescribe for the benefit of such counties for public schools, public roads, or other public purposes.

"SEC. 4. (a) After the Secretary acquires an acreage within the area designated pursuant to paragraph (1) of section 2 of this Act that is in his opinion efficiently administrable to carry out the purposes of this Act, he shall institute an accelerated program of development of facilities for outdoor recreation. Said facilities shall be so devised to take advantage of the topography and geographical location of the lands in relation to the growing recreation needs of the people of the United States.

"(b) The Secretary may cooperate with all Federal and State authorities and agencies that have programs which will hasten completion of the recreation area and render services which will aid him in evaluating and effectuating the establishment of adequate summer and winter outdoor recreation facilities.

"SEC. 5. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote, or is compatible with, and does not significantly impair the purposes for which the recreation area is established.

"SEC. 6. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Spruce Knob-Seneca Rocks National Recreation Area in accordance with applicable Federal and State laws. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment, and shall issue regulations after consultation with the Department of Natural Resources of the State of West Virginia."

The amendment was agreed to.

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

ADDITIONAL PROGRAM

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

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

There was no objection.

Mr. MOSS. Mr. Speaker, I take this time to announce an addition to the legislative program.

On Thursday, H.R. 6277, the Foreign Service Act amendments of 1965 will be considered after disposition of H.R. 10871, the 1966 appropriations bill for foreign assistance. The bill will be considered under an open rule with 2 hours of general debate.

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

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

Mr. GROSS. Will this take precedence over the parks and concessions bill and the United Nations Participation Act?

Mr. MOSS. No; it is to follow.

Mr. GROSS. In other words, follow the bills previously announced?

Mr. MOSS. The previously announced H.R. 10871. It is to follow the appropriations bill.

Mr. GROSS. And it will take precedence and would come ahead of two other bills?

Mr. MOSS. It will take precedence over the other two bills.

Mr. GROSS. I thank the gentleman.

SETTLEMENT OF STEEL STRIKE

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

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

There was no objection.

Mr. BOGGS. Mr. Speaker, at this time representatives of the great American steel industry and the union which is predominant in that industry are signing a contract of 3 years' duration.

Mr. Speaker, this is quite different from the situation that we faced this time last week; namely, a crippling strike which could have adversely affected our situation in Vietnam and which could have had a disastrous effect upon our expanding economy, our balance of payments, our world trade, our local, State, and National revenues and so on.

Mr. Speaker, this settlement could not have been effected without the cooperation of the representatives of management and the representatives of labor and the effective leadership of the President of the United States.

Mr. Speaker, I congratulate all of them.

THEY BURIED HIM IN A WOODEN CASKET

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

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, they buried him in a wooden casket.

Tenderly they placed the wooden casket in the soil of the Africa Dr. Albert Schweitzer had loved and served. The wooden casket they rested in the soil of Gabon, whose able and popular Ambassador Aristide N. E. Issembe came to my office only last week to thank me for the tribute so much deserved that I had given to his country on the occasion of the anniversary of its independence. Thus the bond between Gabon, in the soil to which had been committed the body of Dr. Schweitzer, became warmly woven in the heart of all humanity.

They buried him in a wooden casket. There was no pretense in the life of Dr. Albert Schweitzer and, fittingly, there was no pretense in the manner of his burial.

They buried him in a wooden casket.

SANTIAGO IGLESIAS-PANTÍN, POLITICIAN, PATRIOT, AND LABOR LEADER

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

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

There was no objection.

Mr. POLANCO-ABREU. Mr. Speaker, Labor Day has double significance in Puerto Rico. It is the day in which we honor workingmen, through whose noble toil the country maintains the pace of constant progress. It is also the day in which we honor one of our most dedicated labor leaders: Mr. Santiago Iglesias-Pantín, who was my predecessor as Resident Commissioner from Puerto Rico during the period from January 1933 to December 5, 1939. On the latter date he died in Washington, D.C., before completing his second 4-year term as the elected Representative of Puerto Rico in Congress.

I have always had great admiration for Santiago Iglesias-Pantín in his dual role as politician and as labor leader. Born in La Coruña, Spain, on February 22, 1872, he attended the common schools and was apprenticed as a cabinet maker. But soon he emigrated to Havana, Cuba, where he immediately joined the ranks of labor. From 1889 to 1896 he served as secretary of the Workingmen Trades Circle, and then moved to Puerto Rico where he devoted his efforts to journalism and founded three newspapers, all of them labor oriented: Porvenir Social, 1898–1900; Union Obrera, 1903–06; and Justicia, 1914–25.

He was at the same time active and effective in the labor movement, becoming a pioneer in the effort to create in our working men a true conscience of their rights before a society which was only then first beginning to hear about such things as minimum wages, labor unions, shorter working hours, and labor contracts.

Even as early as November 4, 1898, Mr. Iglesias-Pantín was busy in San Juan exposing the unfair working conditions of his own carpenter's guild, to which he was deeply attached. Prevailing wages then were usually from $1 to $1.50 a day; a man would have to stay on the job for 10, maybe 11, hours, without getting any extra pay; and he would then go home to find a meager supper for himself and his family.

This was the sad picture which Mr. Iglesias-Pantín described before Special Commissioner Henry K. Carroll, appointed by President McKinley to study conditions prevalent in the newly acquired territory of Puerto Rico.

But there was hope, too.

Our chief object—

Mr. Iglesias declared—

has been to obtain for each of the guild members the greatest amount of education possible. * * * Under the new (American) institutions, we shall find this much easier, because we understand that in the United States the greatest part of the forces of the Government are directed to the propagation of instruction for its workingmen.

We also will have to direct our attention—

He added—

especially to the economic aspect of our trade, as that has been at a very low ebb.[1]

True enough, some years later, as a member of the Senate in the Legislature of Puerto Rico, he was able to sponsor legislation to improve working conditions in the island and to protect the workers' right to organize unions and enter into collective agreements.

As a politician, Mr. Iglesias-Pantín was astute and shrewd. He founded the Socialist Party, which gradually drew strength from the fast-growing unions, and was elected a senator when Congress gave the island a new Organic Act in 1917.

He was for some years the only representative of his party in the legislature, and the anecdote went round that whenever an important situation came up he would close his eyes and hold his head with both hands, elbows firm against the flat top of his desk.

"Sh, sh," he would answer to anyone interrupting his meditation, "I'm holding a party caucus."

His task as Resident Commissioner was difficult, but somehow he was able to overcome formidable obstacles to reach his goals. When Mr. Iglesias died, he earned praise from all those colleagues who had been fortunate to be his friends.

I always found him concerned only for the welfare of the people of Puerto Rico, and never for himself—

Said Delegate Dimond, of Alaska, adding:

Nobody who knew him can truthfully deny that while he was Commissioner from Puerto Rico, the people of that island had an able, high-minded and devoted advocate in the Congress.

Even a man as reticent as Adm. William D. Leahy, then Governor of Puerto Rico, said:

His death is a great loss. He was a true public servant, loyal to the legions who honored him.

I should like to bring memory in the House of Representatives today, of this former colleague who devoted himself so untiringly to the cause of labor, to the laborer's uplift in dignity, and who gave his best effort for the betterment of Puerto Rico in general.

[1] Henry K. Carroll, "Report on the Island of Puerto Rico," submitted to Hon. William McKinley, President of the United States, Oct. 6, 1899. Washington, Government Printing Office, 1899.

CBS REPORT ON THE WAR IN VIETNAM

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

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

There was no objection.

Mr. DUNCAN of Oregon. Mr. Speaker, last night I watched for an hour a CBS report on the war in Vietnam. Liberally sprinkled through the report were comments by American servicemen about the significance of the battle they are fighting and the difficulty the American people seem to be having in understanding the significance and the importance of the American presence and activity in Vietnam. Occasionally a soldier suggested rather hopefully that the voices of withdrawal were a distinct minority.

Debate of American policy is a healthy characteristic of our form of government. This debate is valuable, however, only as it is predicated upon accurate information. Recently the White House, in cooperation with the Departments of State and Defense issued a publication entitled "Why Vietnam." This booklet performs two useful services. It spells out clearly the background of our commitment in South Vietnam and contains excellent factual statements both by Secretary Rusk and Secretary McNamara.

I am advised that the demand for copies of this publication from Members of Congress has been heavy and the supply is limited. I am further advised that the cost of publication as a House document is very substantially less than if additional copies were to be printed for congressional use by the State Department. In view of the congressional demand and the savings to be expected, I think it proper for the House to reprint this publication as a House document.

PRESS AGENT, BUT STILL PRESIDENT

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise an extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. HALL. Mr. Speaker, as anyone knows, who has read the Constitution, the President of the United States also serves as the Commander in Chief of the Armed Forces, but a great many eyebrows are being raised over the President's apparent assumption of the additional role of "editor in chief" of the Nation's newspapers.

In the summer issue of the Columbia Journalism Review, published under the auspices of the Graduate School of Journalism of Columbia University, is a most enlightening article entitled "Press Agent, but Still President." It deserves to be read by every member of the fourth estate faced with the problem of choosing between respect or his readers and respect for the Presidency.

To indicate how closely this article describes the present situation, the Washington Post this morning contains an article by Rowland Evans and Robert Novak entitled "The Planned Press Conference." This article penetrates the image of Presidential press conferences and portrays them for what they are—planned propaganda.

I commend both articles to the attention of my colleagues:

[From the Columbia Journalism Review, 1965]

PRESS AGENT, BUT STILL PRESIDENT

(By Ben H. Bagdikian)

For a time during World War II this writer was an instructor in aerial navigation, an exercise that required one student navigator to direct the plane to a practice target while a second navigator, in the same plane but out of touch with the first, tracked where the plane had been and where it was headed. One night the first navigator said the plane would hit the target at 11 p.m. and the target would be El Paso. Asked where we would be at 11, the second navigator wrote, "Albuquerque." At 11 o'clock a large city loomed out of the night. Both men looked jubilant. On the ground I had to tell the second man we were not in Albuquerque but in El Paso. He was stunned. He pulled out his log, full of statistics like compass headings and celestial fixes, waved it in front of my face and cried, "But that's impossible. I've got the figures to prove we're in Albuquerque." He did have the figures to prove it. But the sign on the tower said El Paso and all the natives claimed to be Texans.

This episode came to mind when the President in his June 1 press conference described the care with which he decided to send the Marines to Santo Domingo: "I had 237 individual conversations during that period and about 35 meetings with various people."

The President is a lover of statistics and of appearances and in the fierce gamesmanship that has developed in the White House he has proved himself an indefatigible practitioner of the art of public relations. This has presented special problems for the press corps, but not simply because a President tries to put himself in the best light, because all do that. It has dawned only recently on Washington correspondents just how deeply committed the President is to his public relations practice.

Joseph Kraft, writing in Harper's, believes the President's troubles with the press "stem largely from the inability of the press to see the President as just another flack."

What happens if the press has to view the President of the United States as "just another flack"?

The problem is not the existence of public relations in the White House, which has to consider its "image" if for no other reason than to know whether it is being understood. But there is flackery and flackery and the White House has pushed the techniques of PR to the point of negative returns.

Some White House deceptions are forgiven as part of the job. President Eisenhower would have been wiser to refuse comment on the U-2 shot down over Russia. As a national leader the President has to keep himself open to negotiations for the national good and if he publicly associates himself with all the dirty tricks that go on behind the scenes he damages his power—not because he tells the other side anything it doesn't privately know, but because he becomes a public symbol of the dirty tricks with whom other national leaders cannot negotiate. Precisely because the President is more than a promoter of his own program and reputation, more than proprietor of Government agencies, but also a symbol of national aims and values, it is important that he be listened to—and speak—as something more than a shrewd public relations man.

Some of the deceptions have been important. For weeks President Johnson told the public it was being misled by reporters who said the Government was considering widening the war in Vietnam. The reporters were correct and the President wrong. The White House has implied that it consulted the Organization of American States before committing troops to the Dominican Republic, but it never told the OAS beforehand that it was considering troops.

Other illusions are of interest chiefly within the trade, such as the time the President gave a backgrounder in Texas but asked correspondents to put on a Washington dateline (which most did).

The problem is partly the astonishing portion of Presidential attention given to public relations. No President has monitored his public image with more zeal. He often pulls popularity poll results out of his pocket. He adds up hours of time given to the press and it is enormous, though much of it is ritualistic or nonuseful. In one extended session a French correspondent whispered to an American that he had a Paris deadline coming up and had to leave. The President was holding forth on the White House south balcony. The American whispered back that the Frenchman couldn't possibly leave. "But we've been here for an hour and a half and he is saying nothing and I have a deadline." The American hissed, "Would you leave if Charles de Gaulle were doing this?" The Frenchman stiffened and whispered, "Charles de Gaulle would not spend 15 minutes talking about the rust on his balcony."

The President and his staff seem to ring like burglar alarms whenever and wherever the name "Johnson" appears in print or is uttered on the air. A small item in a west Texas paper mentioned Billie Sol Estes in connection with the President in a three-paragraph story on the inside; the editor claims he got a telephone call from the White House in time to kill the item in later editions. One television correspondent was awakened in the middle of the night by the White House, which had heard that he planned to make some critical remarks the next day. A newspaper correspondent wrote a critical morning story and got three telephone calls from White House aids before breakfast. The New York Review of Books, a medium-highbrow publication, ran a scathing review of Johnson's Vietnam policy and its editors got a phone call from a White House aid suggesting that in the future they have Vietnam books reviewed by Joseph Alsop (who approves of the Johnson policy).

The President has three television sets for simultaneous viewing of the three networks, plus an AP and UPI ticker. Apparently he watches them more closely than some of the editors. One night a startled wire service editor in Washington got a White House call later preserved in the house organ, UPI Reporter, as follows:

"Hello?"

"Hello, Pat, this is Lyndon Johnson."

"Yes, Mr. President."

"Say, I have here (pause) A1O1N from Johnson City, Tex., about the homestead, by Kyle Thompson. Let's see (pause) you say in there that there's going to be a fee for the tour. Well, that's not right at all. The idea is to give it to the people."

"Just a minute, Mr. President, and I'll get the story."

"You see what it says. It says 'the home was opened to the public for fee tours.' That isn't right. You see, it's for free. That's the idea. Do you see that?"

"Yes, Mr. President. It looks like they dropped the 'r' in the word 'free.' I guess they omitted it in transmission."

"Well, Pat, it sure does mean just the opposite of what we mean."

"It sure does, Mr. President, I'll fix it."

"Well, we want it to be free."

"Certainly, Mr. President. I'll straighten it out right away."

"I'd appreciate it if you would clean this up for me."

"I certainly will, Mr. President."

"We hope you will take the necessary steps to straighten this out."

"Yes, sir; Mr. President."

"Thank you, Pat."

"Thank you for letting us know, Mr. President."

But the problem is not just quantity of Presidential time and intervention. Some of it is less meticulous than his editing of UPI typos and some of it has such an implausible ending that it can only harm his credibility. He likes to be the miracle worker, so takes pains to knock down stories predicting what he will do. In December he complained that the Washington Evening Star reported falsely that he would propose a 3-percent pay raise for Federal workers. The Star dutifully reported the Presidential complaint. Then the President proposed a 3-percent pay raise for Federal workers.

At about the same time, the President complained that the Washington Post falsely reported that he planned to ask for a $4 billion cut in excise taxes. "The President is described as feeling that the $4 billion figure couldn't be further wrong," the news story said. The then press secretary, George Reedy, said, "That figure bears no relationship to any decision that has been made." The President proposed an excise tax cut of $3,964 million which bears a relationship to $4 billion as 99.1 to 100.

Nor is it unknown that a responsible White House aid will confirm a reporter's story before it is printed, and after the published story causes unexpected embarrassment another equally responsible White House aid will tell reporters that the story is wrong and was never checked with the White House.

While doing this, the President maintains sympathetic relations with editors and publishers beyond anything known before. Lyndon Johnson is the only Democratic President in this century who seems to be on better terms with newspaper publishers than with the working press. This isn't bad; it is merely astonishing. I. F. Stone, an incorrigible heretic in a town with increasing pressures for journalistic orthodoxy, has written, "Johnson sometimes seems to think the Constitution made him not only commander-in-chief of the Nation's Armed Forces but editor-in-chief of its newspapers."

Among the institutional casualties of this crushing program of public relations are the press briefings by the press secretary, which have decreasing content, and the Presidential press conference, which becomes increasingly rhetorical. Even the semi-confidential backgrounder has often been reduced to an absurdity. On April 7, for example, such a session was held to give prior interpretation of the President's Johns Hopkins University speech offering unconditional discussions on Vietnam. The briefing was given in the White House by Secretary of Defense Robert McNamara, then Acting Secretary of State George Ball, and Special Assistant McGeorge Bundy. Ordinarily it is not cricket to print names of briefing officers but in this case the White House disclosed them by staging a make-believe start of the briefing for television and radio for the 6 p.m. newscasts to help build public interest in the speech.

When it came to the nonattributable question and answer, the cameras were shut off but the same spirit of charade continued to pervade the session. Max Frankel, of the New York Times, asked why the Government had waited so long to make public its aims and its basis for settlement in Vietnam. Secretary Ball said that there was no delay, that the Government had always had the position presented in the President's speech.

"Are you saying," Frankel asked, "that this speech is not news, that we should treat it as old stuff?" Ball replied that the Government had always held the same position, though the "formulations" might be new and, he added as a parting shot, "it may be a little clearer to you." To which John Scali, ABC diplomatic correspondent, rose to say, "Since this has all been said before,

would the Secretary please refresh the reporters' memories on the last time anyone in the Government offered unconditional discussions on Vietnam?" There was general laughter and no answer.

The White House seems so obsessed with keeping the news record favorable that it is defensive about first-hand journalism that it could find useful. The press helped dispel some of the wild confusion within government on the Dominican coup d'etat with reporting from the scene that was better than official diplomatic and military reporting.

The same was true in Vietnam. John Mecklin, chief information officer in Saigon during the time when David Halberstram of the Times and Malcolm Browne of the AP were official dirty words, writes in his book, "Mission in Torment," that Halberstram and Browne were essentially correct in their reporting and the Government essentially wrong.

The White House obsession with PR would be easier to handle if it came from another source. Most correspondents learned to cope with flackdom a long time ago: they react when special pleaders originate news; they recognize the implausibly rosy release; they instinctively check with the opposition; they treat with contempt a man who deliberately flim-flams them.

What is special here is Kraft's observation: most reporters have trouble looking at the President as just another flack. He is not just another flack. He is a PR man in his obsession with image, his unrestrained attempts to create illusion for tactical reasons, and his concern with appearances no matter how implausible. But he is also President of the United States, carrying the burdens of his office seriously.

The problem is that Lyndon Johnson appeals to reporters with all the dignity and power of his position as President and when this does not produce the results he wants, begins manipulating them and the news in ways that are not highly regarded even at the Press Club bar. He is trying to have it both ways. The weakness of many correspondents is that the President is too valuable a source in the competition for news to be ignored as a lesser PR man would be. But deeper than that is the conflict the President creates in many serious correspondents who respect the Office of President and the man in it, but whose professional standards tell them that what is going on is common, ordinary press agentry.

The President and his aids often seem to ignore the demands of professionalism upon correspondents, which require exercise of independent judgment based not on personality or pressure but on honest discrimination. Too often correspondents are asked to choose between disrespect for the reader and disrespect for the President.

One simple answer may be to report the unabashed intervention of the White House into the news process. The dialog in UPI reporter was seen widely in the trade, but it was not on the UPI wire. Ordinarily this would be healthy avoidance of narcissism. But perhaps the time has come to report the President not only as originator of news but also as editor of it.

[From the Washington Post, Sept. 7, 1965]

INSIDE REPORT: THE PLANNED PRESS CONFERENCE

(By Rowland Evans and Robert Novak)

If President Johnson's last nationally televised press conference from Washington on August 25 seemed a trifle bland and just a little staged, this was no accident.

The art of planting questions calculated so that the President could make a particular point hit a new high in that news conference. Far from being the spontaneous free-for-all the general public supposed it to be, the August 25 session was very nearly as carefully staged as a Broadway play.

This completes the transmogrification of the Presidential news conference, which began as an informal cluster of reporters crowding around the President's desk in search of answers to questions. As the news conference moved to ever larger auditoriums and television-radio coverage was permitted, it became less of a newsgathering device and more of a showcase for Presidents.

Consequently, President Johnson cannot be blamed for pushing along the next logical step in this development, taking the risk out of press conferences by planning them in advance. That's what happened on August 25.

Although aids of Presidents Eisenhower and Kennedy frequently tried to plant a question or two before a news conference, old timers in the White House press room can't remember anything like the activity immediately preceding the August 25 conference.

Bill Moyers, the President's highly competent new press secretary, and Joseph Laitin, Moyers' assistant, were scurrying about among correspondents openly planting questions—obviously acting under the President's own orders.

For instance, the House Republican "white paper" attacking Mr. Johnson's position on Vietnam had come out a day earlier. Some question about it was bound to be asked. But the presidential aids planted a question that put the Republicans in the worst light—a soft pitch that the President could, and did, knock out of the park.

The question planters did run into some resistance. Laitin requested the correspondent for one large eastern paper to ask a question that would enable the President to expound on the necessity for a settlement in the steel contract talks. The correspondent flatly refused on general principles.

The White House aids then went to another correspondent, who also balked at this request. After much cajoling and convincing, however, he finally agreed to play the game and ask the question.

Furthermore, the Moyers-Laitin team engaged in the opposite version of the question-planting technique. They tried to pump habitual question askers to find out what they had in mind so that the President could be alerted.

One veteran correspondent known for tough, aggressive questioning was approached. He politely declined to reveal his question for the day. Because this correspondent represents a wire service and unwritten custom dictates that wire service reporters be recognized at each press conference, he was called upon to ask his question anyway.

However, the President has no obligation to call upon nonwire service correspondents. For example, one correspondent for a major midwestern paper who doesn't play ball with the White House and has a reputation for searching questioning was not recognized August 25. Nor has he been at any of the last few press conferences.

It should be pointed out here that since Moyers took over as press secretary July 8, Mr. Johnson's press relations have turned from black to rosy.

Because Moyers actually is one of the President's closest advisers, the White House press corps is filled in on top level developments as never before. On top of the White House staff hierarchy, Moyers on one occasion countermanded an order to dump correspondents from a Presidential helicopter and replace them with Secret Service agents. Such treatment is something new for the White House press.

Consequently, it's understandable that many reporters would want to help Moyers by asking a question that won't hurt anybody. But they do it at the risk of destroying the press conference as the only way of subjecting the President to tough, unrehearsed examination.

ALEXANDER K. CHRISTIE

Mr. KING of Utah. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. KING of Utah. Mr. Speaker, when an important piece of legislation passes the House, only a few of the many responsible persons receive the credit. Without detracting from the great accomplishment of the Members of Congress, their staffs, and the staffs of the committees involved, I should like to single out at least one person from outside the official legislative family for his devoted work in behalf of H.R. 8989, the Federal Metallic and Nonmetallic Mine Safety Act which was passed by the House on September 2. I am thinking of Mr. Alexander K. Christie, a legislative representative of the United Steelworkers of America. Alex helped to draft the ancestor of our present bill for the late Senator James E. Murray, of Montana, way back in the 82d Congress. He has worked longer and probably harder than any other man to bring this important legislation to a point of success. Patiently, but ceaselessly, he has spread the gospel of mine safety, of higher standards to protect the lives of the fearless men who mine the ores and minerals that, in large measure, feed our industrial might and our vast prosperity. His tireless efforts have served the national interest. I commend him for his devotion to a noble cause.

WASHINGTON SMEAR

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. GROSS] is recognized for 20 minutes.

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

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

There was no objection.

Mr. GROSS. Mr. Speaker, the Reader's Digest for September 1965, published an article which ought to be read by every citizen of this country.

It is an article based upon the scandalous manipulations of Bobby Baker, protege of Lyndon B. Johnson and confidant to other Members of the U.S. Senate as well as Johnson. But it also deals with a little publicized facet of the sordid Baker scandals—the outrageous attempts to harass and vilify personally one of the most courageous Members the U.S. Senate has ever known—Senator JOHN J. WILLIAMS, of Delaware.

No man has contributed more in time, energy, and courage to digging out the unsavory facts in the Bobby Baker case as well as corruption in other areas

of Government. For this, President Johnson personally invaded Delaware in the fall of 1964 in an unsuccessful attempt to defeat WILLIAMS for reelection, and the Internal Revenue Service has gone over his tax returns with a fine tooth comb. The result: a bill for income taxes owed of $30.16, plus $1.74 interest. After this tedious and time-consuming audit of all his books and checks, WILLIAMS received a refund check, without apology, from the Internal Revenue Service.

But Senator WILLIAMS is not the only Member of Congress, who has had more than a passing interest in the Bobby Baker scandals, to have had his tax return investigated. Yet there is no evidence that the Internal Revenue Service has had more than a passing interest in the tax returns of Baker and others associated with him as he rocketed from virtual rags to riches in a few short years.

In addition to the auditing of his tax returns, and the interception of his mail, a vicious, cowardly effort was made to "expose Senator WILLIAMS' sex life." This by Carole Tyler, one of Baker's so-called confidential secretaries, who said she saw WILLIAMS eating breakfast with a woman, not his wife, at a restaurant at 6 o'clock in the morning.

The young woman was Senator WILLIAMS' granddaughter.

Carole Tyler as well as Bobby Baker repeatedly resorted to the fifth amendment and thus declined to answer questions when they were summoned before the Senate Rules Committee. While they were thus protected, the man who was honestly and courageously attempting to ferret out corruption was the object of harassment and cowardly vilification.

Mr. Speaker, I submit herewith for printing in the CONGRESSIONAL RECORD the Reader's Digest article written by a noted newsman, Mr. John Barron:

THE CASE OF BOBBY BAKER AND THE COURAGEOUS SENATOR

(By John Barron)

Skeletons of the Bobby Baker case have at last been locked away in Washington's darkest closets. The carefully manipulated Senate "investigation" of the man who long was Lyndon Johnson's protege has ended in a rain of whitewash. The squalid stories of payoffs, kickbacks, party girls, and influence-peddling on Capitol Hill have all been officially forgotten.

One man, though, cannot forget—Senator JOHN J. WILLIAMS of Delaware. Nearly 2 years after he unearthed the scandals, WILLIAMS continues his lonely search for the truth. But for exposing Baker in the first place, and for daring to persist in probing for facts, he has paid and is paying a fearful price.

At one time or another, patrons of Baker have schemed to silence WILLIAMS' sources, to deceive him with false leads, to smear his character, even involve his family. The harassment got so ugly a few months ago that Senator FRANK LAUSCHE, a Democrat, openly accused fellow Senators of trying to make Senator WILLIAMS "the culprit" while letting the true culprit go free.

It was an accurate summation. The strategy employed by WILLIAMS' opponents throughout has been to save Bobby Baker and his pals by destroying the accusers. And WILLIAMS was the chief accuser. If he could be discredited, so could his revelations.

EARLY WARNING

Even before the Baker story burst into headlines, WILLIAMS received a hint of the ordeal he was to endure. A Delaware farmer drove to Washington to tell him about it. "Some strange men are going around asking questions about your farms," he said. "They make out like they're investigators from Washington trying to find out how much Government farm subsidies you collect. I told them you don't accept any subsidies at all, but they wouldn't believe me."

While WILLIAMS was home for the weekend, other neighbors dropped by to tell him that the strange inquisitors had interrogated them about drainage ditches. Then he realized what it was all about. He had cosponsored a legislative amendment providing Federal payments to help drain low-lying Delaware farms. Government-subsidized ditches had to be dug through farmland he owned so that the surrounding area could be served, and he was entitled to collect several thousand dollars for this. In fact, though, he had personally paid the whole bill for the work done on his land.

WILLIAMS knew that, if he had not been able to prove he had paid, he would soon be publicly accused of profiting from his own legislation. It was an old Washington trick, letting the scandal prober know that the heat can also be applied to him.

But WILLIAMS did not worry, at first, and for good reason.

FURTIVE MEETING

A soft-spoken farmer and chickenfeed dealer, WILLIAMS, when he first went to Washington as a Senator, seemed hopelessly out of place in the worldly atmosphere. Detractors privately ridiculed him as a "pious hick." Top officials laughed when, working without investigators, funds or power of subpena, he started rounding up records and asking simple questions about how they were running Government business. Some of them had to stop laughing when they found themselves on the way to the penitentiary.

Because of such activity, WILLIAMS came to be called "the conscience of the Senate." Again and again, enemies had tried to compromise him, but none had succeeded. So, in the fall of 1963, when he began digging into the affairs of Bobby Baker, he was confident and unafraid.

Then, early one evening in February 1964, WILLIAMS was summoned to a furtive meeting with a Johnson administration official, a man who had fought him politically. "I couldn't risk going to your office," the man began, "but I can't stomach what they're doing to you. Senator, your mail is being intercepted. Every letter you write to any Federal official asking about the Baker case is immediately routed to a special handler. He sends the Senate Rules Committee copies of any information sent to you. Sometimes he even checks with the committee before deciding whether your inquiry is to be answered at all. You'd better be careful about what you put in writing."

"The Senate should be totally outraged," cried the Washington Evening Star in a lead editorial after WILLIAMS confirmed that his mail was indeed being watched. "Obviously someone high in the executive branch issued the instructions for this monitoring. Nothing of the sort, as far as anyone knows, has ever been done before. Who issued the order?"

No one has ever dared look high enough and hard enough to find out.

TAX AUDIT

The ensuing step in the Senator's harassment came from the Internal Revenue Service. IRS ordered WILLIAMS to produce all records he had used to prepare a return submitted 2 years before.

Now WILLIAMS had to put aside the Baker case and dredge up the mass of old data needed to defend his tax statement line by line. Dutifully he drove back to Delaware to submit to interrogation by an IRS agent. As the tedious audit wore on, he produced check after check to prove that he had honestly and correctly paid his taxes. But in vain. The agent insisted that he owed $30.16 more, plus $1.74 interest.

"That's wrong, Senator," said an angry accountant whom WILLIAMS had asked to help him. "I wouldn't pay a cent more."

"No, it's worth $30 just to get it over with," the Senator said, wearily writing out a check.

A few days later, he was dumfounded to receive an elaborate 9-page rigmarole of computations from IRS indicating that the Government owed him $30.16. Enclosed, without apology, was a refund check.

WILLIAMS never could be sure of the reason for this preposterous exercise. He realized, though, that had any flaw in his tax return been detected it would have been most useful to Baker's friends.

SMEAR BY ASSOCIATION

Next tactic of Baker's cronies was to destroy a key witness whom WILLIAMS had persuaded to talk. The marked man was Don B. Reynolds, an insurance broker who had been active among Washington's wheeler-dealers. Long an intimate member of the Bobby Baker crowd, he admitted that he was "no angel." And when he finally began to talk about his cronies, he startled the Nation.

In sworn testimony before the Senate Rules Committee, he said he had made huge payoffs to Baker. He told how, in obedience to Baker's orders, he had given Lyndon Johnson an expensive stereo set. He testified that, after selling insurance on Johnson's life, he had been pressured by Walter Jenkins, then Johnson's administrative assistant, into purchasing unneeded advertising time from a Johnson television station. And he spoke of the use of bribery and prostitutes to influence various Government officials.

Whether or not all that Reynolds said was true probably never will be determined. But he produced checks and invoices to prove that he had paid Baker, given Johnson the stereo, and bought the useless advertising time. Because some of his testimony was documented, there was only one way to neutralize it: his character would have to be so totally demolished that no one would believe anything he said. And if he could be depicted as a puppet of WILLIAMS, the muck smeared on him would rub off on the Senator.

Shortly before release of Reynolds' first testimony, several administration officials began trying to peddle to newsmen a purported confidential Government personnel report listing Reynolds' alleged misdeeds as a one-time Air Force and Foreign Service officer. He was portrayed as a pathological liar, black marketeer, and adulterer.

Then the Rules Committee itself joined in by leaking to newsmen reports of its own, denouncing Reynolds, the witness who had talked, more harshly than Baker, the subject of investigation. They stigmatized Reynolds as a "character assassin," "paranoid personality" and "an irresponsible witness." The committee insinuated that Senator WILLIAMS was in some way linked with Reynolds.

PRIORITY TARGET

Fearful of what the power of Government might do to them, many persons who had volunteered information in the Baker case now began to back off. One important businessman who earlier had promised evidence said, when WILLIAMS called him, "I don't know what you're talking about, Senator, I never talked to you before in my life. I'm sorry, but I'm sure you understand."

When administration forces tried to bury the investigation in the summer of 1964 and WILLIAMS came up with new evidence, alarmed Democrats developed a plan. They

would suspend the investigation until after the approaching elections—and get rid of WILLIAMS at the polls in November.

Of all the Republican members of Congress, WILLIAMS became the priority target. Administration speakers paraded into Delaware to belittle him as a hopelessly outmoded crank. On the Saturday before the election, President Johnson himself suddenly decided to appear. Reporters accompanying him were astounded that he would choose to spend the last vital day of the campaign in a State with only three electoral votes.

But there he stood in Dover, a town of only 7,000 inhabitants, appealing for WILLIAMS' defeat. "Give me men I can work with," he said.

WILLIAMS was sure of defeat. On election day, however, when Johnson carried Delaware by a landslide, enough Democrats split the ticket to send WILLIAMS back to the Senate with a 6,932-vote victory.

STORY OF THE YEAR

After the Johnson inaugural ceremonies, WILLIAMS walked across Capitol Hill to his office. "What is going to happen to the Baker case now?" a newsman with him asked.

"Well, whitewash put on over dirt will not stick. We country boys know that," WILLIAMS said. Then he motioned the reporter into his study, where he pushed four typewritten pages across his desk. The document made it appear that three prominent Government officials had made millions through a corrupt deal.

"It will be the story of the year," the reporter said. "When are you going to break it?"

"I'm not going to," WILLIAMS replied. "The whole thing's a plant. I've checked it, and it's the darnedest cock-and-bull story you ever heard. They hoped I'd go to the floor with it. Then nobody would ever again believe what I said."

SEX LIFE

The next snare that was set for the Senator was immeasurably more vicious. Carole Tyler, who had been Baker's confidential secretary, flew to Nashville to address the Tennessee Press Association. At Rules Committee hearings she had repeatedly ducked behind the fifth amendment to avoid saying anything. But now, rumors said, she was going to "expose Senator WILLIAMS' sex life."

In a hotel ballroom crowded with expectant reporters, Miss Tyler began reading a typewritten speech. After some banalities, she paused and with an arch smile said:

"I wonder what you would think if you knew that the principal instigator of the Senate investigation was seen by me on July 6 at 6:30 a.m. with a lady—not his wife—just after they finished breakfast? And just think, this is the gentleman who has been criticizing the Senate Rules Committee for not going into the so-called sex angle of the Baker case. I leave it to his conscience, if any, as to why he was with this lady—not his wife—at such a time near a summer resort."

"Would you name the Senator?" reporters asked.

"I think you know who I mean," she replied.

Back in Washington, the first inquiry about the speech stunned WILLIAMS. The first impulse of the 61-year-old Senator, 38 years married to the same wife, was to denounce it on the Senate floor. But he realized that denying the charges would merely give them greater circulation. Finally, he wrote a one-sentence statement: "Any newspaper, any wire service, any network that carries any report questioning my character assumes full responsibility for its truthfulness and had better be prepared to prove it."

Most publications decided to kill the story, but rumor quickly swept it over Washington. That night, a worried friend found WILLIAMS and his wife alone in their apartment. "JOHN, it's all over town that Carole Tyler says you're involved with some woman and that you won't deny it," the friend said. "Why don't you denounce this for what it is—character assassination?"

"I can't," WILLIAMS said. "On the morning of July 6 I was in a roadside diner with a girl, and I don't doubt that I was looking at her with loving eyes. She was my granddaughter. I was taking her back home after the Fourth of July weekend at the beach. But, my Lord, man, I'm certainly not going to drag my own grandchild into this."

FINAL REPORT

Last spring the Rules Committee staff secretly drafted a second "final" report on the Baker case. While mildly rebuking Baker, the committee authors loaded the report with innuendo and insinuations that WILLIAMS had withheld information and made false charges.

This draft was set in type at the Government Printing Office. But if the committee released it, the sponsoring Senators would have to back up what they said, and WILLIAMS would have a chance to defend himself. Therefore, in a careful maneuver, the committee leaked copies of the report to newsmen.

WILLIAMS stormed into the Senate and demanded a showdown with the majority members of the committee. "Retract the charges or else repeat them in my presence," he demanded. Only Senator CLAIBORNE PELL, of Rhode Island, had the courage to say that he had no charges to make. None of the others took up WILLIAMS' challenge.

When the committee officially released its final report, all of the attacks on WILLIAMS were deleted. Nevertheless, the committee had succeeded in spreading defamatory comment about him while evading responsibility for it.

PLENTY OF TIME

Today what has become of the chief characters in the case?

Don Reynolds has been ruined. Under the heat of hostile publicity and incessant investigation, he lost his once profitable insurance business. He now exists in exile in the Bahamas.

Carole Tyler died last spring in a freak accident when a stunting airplane crashed in Ocean City, Md., not far from Baker's million-dollar motel.

Bobby Baker himself prospers. He has bought control of another motel in North Carolina. He has acquired additional interest in the vending machine company which still enjoys lucrative concessions from defense manufacturers dependent upon Government contracts. Friends describe him as utterly confident that even should he be indicted, nothing in the end will happen to him.

For JOHN WILLIAMS, the ordeal goes on. This summer he again had to appear before the IRS, this time to defend his 1963 tax return. He had paid his taxes properly again. Today, despite all the booby traps set for him, he is continuing to probe in the debris of the Baker case.

"I have plenty of time," JOHN WILLIAMS warned the Senate in a speech a few weeks ago. "And I am not about to be intimidated. In fact, my curiosity and determination grow as resistance intensifies."

In this sentiment, Senator WILLIAMS, of Delaware, may well be speaking for the Nation.

WASHINGTON'S WONDERBOY

To many, Bobby Baker was the "wonderboy of Washington." He came to the capital from South Carolina at 15 as a Senate page. He grew up with Senators as his tutors, became the protégé of one of the most influential, Lyndon B. Johnson, and was elected secretary of the Democratic majority in 1955. As general agent of the Senate "Establishment," Baker exchanged confidences with Senators, advised how the leadership wished them to vote, performed personal services such as arranging loans and useful introductions, as well as picking up and parceling out "campaign contributions." By 1962 he could boast, "On any given issue, I have at least 10 Senators in the palm of my hand."

Baker's troubles began when he was sued by a Washington businessman who alleged that he had paid Baker fees totaling $5,600 to maintain a vending-machine contract at a defense plant, then suffered cancellation of the contract because of Baker's "interference." Wondering what was behind the allegation, Senator JOHN J. WILLIAMS quietly began asking questions. He soon put together the outlines of a fantastic story.

WILLIAMS secretly told the Democratic leadership some of what he had learned and suggested that Baker be offered an opportunity to explain privately before he was publicly accused. Minutes before the scheduled confrontation, Baker resigned rather than face WILLIAMS.

The Senate Rules Committee then began an investigation based almost entirely on evidence provided by WILLIAMS. Subsequent Rules Committee reports sketched highlights of Baker's financial dealings: That on a top salary of $19,600 he had amassed, at 34, a fortune which he claimed was worth $2,100,000. That a formed lobbyist had sold him for $4,600 stock worth $31,000. That, with others, he had started a vending-machine company which won lucrative concessions from contractors dependent upon the Government. That he had obtained a Government loan for a luxurious oceanside motel he was building in Maryland by falsely representing its assets. That, 2 days after a bill beneficial to a trade association had been signed, a representative of the association paid him $5,000.

As the resultant scandals threatened to reach higher and higher into Government, pressures to halt the investigation became irresistible. The Senate ended the probe in July 1964, declaring that any further evidence would be "repetitious and cumulative." Whereupon WILLIAMS came up with new evidence which compelled the Senate to reopen the investigation in the fall of 1964. But the committee still considered many areas of inquiry taboo, and the investigation again stumbled to an innocuous end last June.

Baker repeatedly took the fifth amendment to avoid telling anything to Senators who once told him everything. To this day he remains silent.

PRIVATE INITIATIVE IN FOREIGN AID

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, we are all proud of our great American heritage and the dauntless spirit of independence which made our country what it is today. We have all read of the roles played by our ancestors who had the courage, strength, and initiative to strike out for themselves and to carve our tremendous country out of what was an uncharted wilderness.

We believe, because we have seen it work and we know the effect and the effectiveness of the course of action, that

it takes great individual effort to provide the backbone and sinew of the growth and development of a country.

It is this very course of independent action which we are striving for in our foreign aid program today. The developing countries themselves have become more aware that the maximum progress toward active and self-sustaining economies comes through major reliance on the private sector.

There is an increased willingness to support private enterprise when it can do the job and where its performance is effective. Our own experience is proof of this fact and our experience in our program of foreign aid tends to bear this out, for the developing countries which have made the greatest advances are those which encouraged the growth of private enterprise as for example: Nationalist China, the Philippines, Malaya, Pakistan, and India.

As a matter of fact, the government-to-government aid which has been given has provided the foundations for a greater participation by private enterprise. Roads, powerplants, fertilizer factories, dams and the like have all been tremendously important to the growth of a country but even more important they have been a major factor in the development of private enterprise which is helping recipient countries to stand on their own feet.

One of the most important factors in this development of private enterprise, of course, is proper financing and AID has taken action in this crucial area. Many of the developing countries lack effective capital markets, they are simply not organized to provide capital for local entrepreneurs who wish to expand or to go into business. AID has provided both technical assistance and seed capital to establish development banks to fill this need.

Thirty-six AID-assisted industrial development banks in 30 countries have made 2,400 subloans for private industrial ventures including the expansion of existing enterprise as well as the initiation of new ventures.

AID-assisted agricultural credit banks in 10 countries—nine of them in Latin American—have made more than 40,000 subloans for farm improvements.

Savings and loan associations organized with U.S. assistance and almost nonexistent in Latin America a few years ago, have accumulated local deposits of $75 million for investment in housing and other ventures.

AID commodity loans have become an increasingly important factor in the growth of private enterprise in countries such as India, Pakistan, Chile, and Brazil. They are made available to countries with sound development programs and they make it possible for private enterprise to import a wide variety of American goods and equipment needed to maintain or expand existing plants, repair or increase the supply of farm equipment and the like. In India alone, for example, $220 million—about 80 percent—of $275 million in commodity loans made during 1964 went directly to finance American exports badly needed by India's private enterprise sector.

Another one of the most effective methods that has yet been utilized by AID in our foreign aid program is the organization of cooperatives. They are an invaluable means of mobilizing individual initiative and capital and act in such a way as to rapidly speed the development of progress.

We are all familiar with the concept and the working of the cooperative idea. The very name itself suggests a common goal and an amalgamation of talent, ideas, wealth, initiative, and enterprise to accomplish something which will be of benefit to many.

As the many are benefited, so is the immediate area and in turn the economy of the country and the entire goal of our foreign aid program.

One of the best illustrations of what cooperatives can do occurred in the Ecuador town of Santo Domingo de los Colorados, a town of 10,000 about 75 miles from the capital city of Quito. A brisk banama industry had brought some money to Santo Domingo, but very little change. The townspeople did want more electricity but there seemed little hope of getting it. Token service for electric light bulbs was provided by municipal generators that were out of repair and often out of commission. No one was inclined to fix them since 40 percent of the electric bills were uncollected.

Under an AID contract, John Taylor of the National Rural Electric Cooperative Association organized an electric cooperative in Santo Domingo. An initial local subscription of $60,000 for stock in the cooperative and an AID "seed" loan provided the capital to buy out the existing service, overhaul the generators, modernize and enlarge the distribution service in the town. From their own warehouses, the 24 rural electric cooperatives in Kentucky collected more than $18,000 in surplus transformers, meters, conductors, and the like as a contribution to the project and an American steamship company shipped them to Ecuador without charge. NRECA experts trained managers and technicians for the Santo Domingo cooperative, showed them how to maintain equipment, set up books, handle billings.

The cooperative system is now supplying 63,000 kilowatt-hours a month against 25,000 before it was organized, and has doubled the number of customers. The percentage of bills paid has jumped from 60 percent before the cooperative to 97 percent, and monthly revenues have increased from $955 to $2,000—the cooperative's financial growth is running consistently 20 percent ahead of what the NRCA experts had anticipated.

You can see the change in Santo Domingo. Electricity now powers water pumps at a banana processing plant, a meat storage plant, a 30-room hotel and a new radio station. Lines have gone into a 50-home housing cooperative. Women are buying radios, electric stoves, and refrigerators. Around the town, well lit playgrounds, community meeting rooms and recreational centers are new gathering places, particularly for the town's young people.

From the viewpoint of development, this is an extraordinary effective and rapid change of exactly the kind we must bring about in countries like Ecuador if they are to solve their own problems.

Santo Domingo, of course, is just one town, and the less developed world of Asia, Africa, and Latin America is a very large place which will not be transformed overnight. But I have no question that we are on the right path, and that in enlarging the role of cooperatives in the foreign aid problem, we have taken a significant step forward in our historic effort to help others help themselves to a better life, and achieve a more hopeful, secure future for all of us in the free world.

This encouragement of private enterprise in the less developed countries is not without problems—several of them I have already mentioned. One of the more important problems is the shortage of experienced managerial help—people skilled in management, marketing, and production control.

This shortage is being met. With strong encouragement from AID, the International Executive Service Corps was established under private auspices during 1964 to provide the help of experienced American businessmen to entrepreneurs in the less developed countries. Private business firms in more than 30 countries have expressed interest in assistance from the Corps.

The AID program already includes substantial participation by American private business, institutions, and groups. About one-fourth of AID's technical assistance is provided by American universities, business firms, and private associations on contract and this role is being enlarged further.

American engineering and construction firms overseas are supervising the design and construction of some $4 billion in capital projects AID is helping to finance in the developing countries. Under the partners of the Alliance program launched in the spring of 1964, 25 American States and communities are consulting with Latin American nations and communities and arranging to provide scholarships, technical assistance, investments in joint ventures, and other kinds of assistance; 8 more partnerships will soon be underway.

Private firms, labor unions, and local governments as well as universities provide training for some 6,000 participants a year; the value of training services donated for these programs has been estimated at more than $10 million.

AID is doing much to provide greater incentive for the encouragement of greater American private investment in the less developed countries and to increase the flow of development assistance from private American relief agencies, nonprofit associations, labor unions, civic groups, and business organizations.

There is a continued sharp increase in the use of AID investment guarantees by American investors. In fiscal year 1964, AID wrote three times as many guarantee contracts and issued twice as much coverage as in any preceding year.

Increased use is being made of the AID investment survey program which is helping to generate new private American investment in less developed countries.

Placement of volunteers overseas is being made by the new International Executive Service Corps, operated and supported by American business and assisted by AID.

We are witnessing an expansion of the role of American voluntary agencies in promoting self-help and development work in addition to straight relief work in the underdeveloped countries.

There is increased State and local participation in AID's partners in the Alliance program through which Americans at the State and local community leadership level work directly with their counterparts in Latin American countries on specific development problems.

So the stage is set. Private enterprise both here and in the recipient countries has become an essential ingredient in our foreign-aid program.

The same spirit that went into the building of our own country has gone and will go into the strengthening and the building of the underdeveloped countries which we are assisting.

The foreign-aid program deserves and commands our support. Through it and because of it there is hope for a better life for all people, a life which will insure each one of them an important role in carving out the future for their own country.

COTTON TEXTILES

The SPEAKER pro tempore (Mr. SMITH of Iowa). Under previous order of the House, the gentleman from North Carolina [Mr. WHITENER] is recognized for 30 minutes.

Mr. WHITENER. Mr. Speaker, I am informed that tomorrow in the other body the Agricultural Act of 1965 will be on the floor of the Senate for consideration. On last Thursday the Committee on Agriculture of the other body reported a cotton title in that legislation which was very disappointing to me and to many other Americans.

We in North Carolina are very proud of our great textile industry. Our State has approximately 230,000 people employed directly in the textile industry. When you realize that in the Nation there are only approximately 1 million persons so employed, you can appreciate that State has a bonafide interest in cotton legislation.

The State of North Carolina and the neighboring State of South Carolina are also cotton-producing States. So we have a great interest in the health of our agricultural cotton economy.

For this reason, the action of the committee in the other body has caused us to look at it with interest and with a great deal of concern.

A short while ago when we had the agricultural bill before us in the House of Representatives we passed a bill which had in it a provision continuing the one-price cotton system for a period of 4 years. The bill reported out in the other body would destroy this very beneficial provision in the House bill.

Since the beginning of my service here I have tried very diligently to point out the seriousness of the two-price cotton system. We felt that we had put it to rest in 1963.

There are many who say there is no bonafide farmer or agricultural interest in the position that we take. This is as far from the truth as one can get.

Back several years ago, as a boy, I was employed in a textile plant which was a pioneer in the development of the use of synthetics on conventional spinning equipment. At that time those of us who were working with this new manmade fiber—rayon, celanese, and blends with some types of natural fibers such as mohair, felt we were fighting a losing battle. It was felt by many leaders in the industry that this was just a fool's adventure which would never produce worthwhile results. It was about this time that a native son of my home community was getting an organization known as Burlington Mills off the ground. He was pioneering in the use of synthetics. I can remember hearing many say that Spencer Love was a very foolish man to think he ever could accomplish satisfactory results with the new fibers.

Then we read of Spencer Love's pioneering in many national publications. They said that he was an adventurer in the textile industry who was of questionable soundness in his philosophy. But yet today, my friends, 45 percent of all the textile products manufactured in America are synthetic or manmade fibers. That is how far we have come within a very, very short time.

Let me point out another factor which is happening all about us. All of us who are interested and knowledgeable at all in the textile field know that there is a much greater demand today for manmade fibers than the producers of those fibers are able to meet. Recently in my own congressional district an organization known as Fiber Industries, Inc., was formed by the Celanese Corp. of America and the Imperial Chemical Industries, Ltd., of Great Britain. They built a rather large plant in my congressional district at Shelby, N.C.

A very short time later they went down to the district of my friend, the gentleman from South Carolina [Mr. ASHMORE], and built another large plant to produce manmade fiber. More recently they commenced construction of a new plant near Salisbury, N.C., and even though that plant is still under construction, just about 10 days ago this company announced that they were doubling the size of the plant before they even completed it.

Mr. Speaker, I mention this only to point out to our friends who have as their primary interest the welfare of the farmer that they should heed warnings of men like Dr. M. K. Horn, of the National Cotton Council, and others who are telling us that synthetics are about to take over the textile trade.

One of the distinguished Members of the other body, who is the architect of this unfortunate proposal which the Senate Committee on Agriculture reported out, was quoted in the press when confronted with his contention about the threat of synthetics as saying, according to the newspaper reporter, "The textile people would not dare do that; they are too patriotic."

I do not know when some will get their head out of the sand. If any believe that the chemists now engaged in the development of new fibers cannot develop fibers which will compete with cotton in every respect, they had better take another look at the situation. Those of us who remember the first rayon shirts and the first rayon dresses that were produced and look at those fabrics today know these fibers are a present and real threat. Those of us who have had an opportunity recently, as the chairman of the House Committee on Agriculture, my good friend from North Carolina [Mr. COOLEY] has had, to personally examine alongside of each other a poplin cloth made of cotton and a piece of poplin cloth made of a blend of cotton and synthetic fibers know that the uninitiated would not be able to differentiate between them.

This onward march in the technological field in textiles is growing, and we must take note of it if we would preserve the American cotton farmers.

I have heard testimony in the Agriculture Committee since I came to this body 10 years ago by many of these so-called experts, who purport to represent our farmers, saying that you could never satisfactorily market sheets and pillow cases made of anything other than cotton. Yet last year in the congressional district of my good friend from South Carolina [Mr. GETTYS], Spring Mills opened a $15 million plant which will be entirely engaged in the manufacture of sheets and pillow cases from synthetic fibers.

So it is time, I believe, for some of us who are interested in both the textile industry and the cotton agricultural economy, to begin trying to bring some light into this situation.

When the committee of the other body acted a few days ago, one of the men who commented on the action was the president of Springs Mills in South Carolina. He said:

> Anything close to the Ellender bill would force our company to move as quickly as possible and as far as we could away from cotton.

Another distinguished textile man, Mr. Charles Myers, the president of Burlington Industries, commented upon this. Mr. Myers' company, Burlington Industries, while it is one of the great textile companies, is operating only 30 percent of its equipment on cotton. Seventy percent of it is engaged in the production of synthetics. But Mr. Myers said that the failure to continue one-price cotton "will unquestionably hurt the cotton economy of this country from grower to manufacturer. Mills which have been increasing cotton consumption will be forced to use less cotton, as it must be competitive with other fibers in order to hold its own or to take a larger share of the textile market."

This is the situation with which we are faced. We have heard in the House

and we have read in publications about the great bonanza that the one-price cotton legislation has been to the textile industry. But no one points out that of the 20 leading industries in America, as of the present date, the textile industry has its profit level in the 16th position.

They do not mention the fact that other industries during these last few months since the one-price cotton legislation has been in effect have had profits far in excess, on a percentage basis, of those of the textile industry. They do not take into account that the profits of textiles in the past 18 months have just about equaled the percentage of tax relief which was given to the industry—and to other industries—under the depreciation writeoff schedules which were established under President Kennedy, and under the tax reduction legislation which we passed here, which applies to all industries alike.

So some of these accusations of profiteering just do find support in fact.

It is easy for some of our friends to be critical. They do not point out that there have been three textile wage increases of 5 percent each since the one-price cotton program was about to become a reality—one in anticipation of it, and two after it.

They do not take into account, when they talk about profits, that yarn prices at the spinning mill are lower today than they were when the Agriculture Committee of the House brought out the one-price cotton bill in April of 1963.

They do not point out that today the finished textile products with the heaviest amounts of cotton in them are cheaper than they were in April of 1963. The higher cost is found in the finer goods, where the cotton content is smaller than in the heavier goods.

This points out that the increased cost is in the wages of those who work with the cotton fabric, and the finer the fabric and the garment the higher the cost.

Some 18 months ago one of my friends in the industry sent some material to me for a suit of clothes. I went to a tailor in Washington and had the suit tailored. Only a few weeks ago the same friend sent another supply of similar material. I returned to the same tailor. Furnishing my own goods, which of course were not cotton, I found the tailor apologized to me because he had to charge exactly 12½ percent more for tailoring my suit than he charged 18 months previously. He pointed out that this was because of increased wages of tailors.

These are factors which affect the industry. I say to you, my friends of the House of Representatives, I hope that the other body, when it considers this legislation, will follow the lead of the House of Representatives and amend the bill to conform to the House bill. If, for some reason, this act of wisdom is not committed, I hope that when the legislation goes to conference we will find that the conferees on the part of the House will recognize the absolute essentiality of a fair policy by the Government toward the great textile industry, upon which the entire Nation is so dependent.

A sick textile industry will damage not only North Carolina and South Carolina and the so-called textile belt, but it will be of economic injury to the entire Nation.

We know that the textile industry is one of the large customers of many other industries, such as chemicals, rubber, petroleum, and many other essential industries in this country. It is therefore, vitally important to our total economy.

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

Mr. WHITENER. I am happy to yield to the distinguished Chairman of the Committee on Agriculture.

Mr. COOLEY. First, I should like to congratulate and commend my friend for the splendid presentation of the problems facing this industry, which is vital to many parts of this country. I add that under this one-price cotton system the textile industry has modernized its equipment.

The industry has spent over $1 billion in expanding its activities. That means they have bought $1 billion worth of machinery from some of the industrial areas of this country. This machinery has gone into some of the old and dilapidated mills that have been in operation for many, many years. Under the present law the industry has been revitalized and we have increased our consumption of cotton. If we should fail to continue the one-price cotton system, I am quite certain that the industry will be worse off than it was when we started out to help it in the spring of 1963.

Down in North Carolina, as the gentleman knows, we have the greatest stake in this program, perhaps more than any other State of the Union does, because we have more textile workers there, numbering 240,000, and we have more textile spindles than they have in any other State in the Union. This means an economic disaster for the whole great State of North Carolina if we should return to the two-price system.

I hear people making regular statements about returning to this two-price system, but we all know that the foreign mills in Osaka, Japan, in Germany, and in Liverpool, England, and those all around the world have a great advantage over our own manufacturers here at home. It was President Kennedy who referred to it as a "unique burden" which can only be lifted by legislation and by such a program as we have in operation.

I agree with the gentleman from North Carolina [Mr. WHITENER] that it would be very unfortunate if the Senate should try again to bring the two-price system back into operation. I assure you that I will do everything I can possibly to maintain the one-price system and bring in an equitable bill.

Mr. WHITENER. I thank the gentleman and I would like to ask him if it is not correct that since the one-price cotton system was written into the law, the increased consumption of cotton has been approximately 1½ million bales greater than it was in the previous period.

Mr. COOLEY. I am not certain how great it is, but I know it is a substantial increase. There is some controversy as to what the increase has actually been, but I know that there has been an increase in the consumption of cotton in the American market.

Mr. WHITENER. And the gentleman, as a student of this problem, I am sure must share my apprehension for the cotton farmer unless something is done to keep a further extension of the use of synthetics from developing.

Mr. COOLEY. In that connection, if the gentleman will yield further, I need only point out to the House that we now have in storage 14.2 million bales of American-grown cotton. That burden is hanging on the taxpayers and over the heads of the American cotton producers. Without Government assistance the cotton farmer would be in bankruptcy today. We certainly must have a program or we will all suffer throughout the whole Nation.

Mr. WHITENER. I thank the gentleman. I certainly am delighted that he, as chairman of the Committee on Agriculture, has been so diligent in looking after the total cotton economy, that is, the agricultural as well as the processing end. The two are so intertwined that we cannot deal with them as separate units as some of our friends seem to be inclined to want to do.

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

Mr. WHITENER. I will be glad to yield to the gentleman from South Carolina.

Mr. ASHMORE. I want to commend my friend and colleague from the sister State of North Carolina for his fine statement regarding this very, very important question. Of course, it is one of the most essential industries in both of the Carolinas and is also very vital to a number of other areas of our country. I was amazed when I read the article of recent date, in the past few days, as to what the other body had done with reference to the two-price cotton system.

I thought, as my friend has stated, that this problem had been taken care of in legislation some 2 years ago. The success of that legislation should be sufficient proof, it seems to me, to the other body and certainly to a large majority of the Members on this side of the Capitol because it has shown a remarkable improvement in the textile industry throughout this land. It has pointed up the fact that the only way to help the people who work in the plants as well as the cotton grower is for these two industries to work hand in hand.

In my opinion it is impossible for the cotton producer in this country to be successful unless the textile manufacturer uses that cotton. America is the greatest market for the cotton that is produced and grown in the United States. I believe I heard the chairman of the Committee on Agriculture state during the debate in the House on the Omnibus Agriculture bill that the United States used last year approximately 9 million bales of cotton; is that right?

Mr. COOLEY. That is right.

Mr. ASHMORE. I thought my memory was correct. There is no other country in the world that uses that much

cotton grown in America. If the textile manufacturer in the United States has to pay 6 cents or 8 cents—it had gotten up to the 8-cent figure, I believe, when this one-price cotton bill was passed—if our manufacturer has to pay 8 cents a pound more for cotton than does Japan or India or Italy or Hong Kong, or any other textile manufacturing country you may refer to——

Mr. WHITENER. If the gentleman will pardon me, he is talking about American cotton now?

Mr. ASHMORE. That is right, American cotton. That is what has been true in these past years before the one-price cotton system was put in. The American manufacturer had to pay 8 cents a pound more for American cotton, for every pound of cotton than a foreign manufacturer had to pay for identically the same cotton.

That is not only unfair; it is unjust, it is inequitable. It makes it impossible for the American textile manufacturer to compete with foreign textile manufacturers, when they start off with that advantage, and particularly when you take into account the wage differential between this country and other countries, whose wages are far below the American standards.

Without the one-price cotton system the American textile manufacturer is forced, from the economic standpoint, to convert to manmade fibers—rayon, nylon, dacron, whatever it may be, because he can buy some of these manmade fibers at substantially lesser prices compared with American-grown cotton. There is less waste in the man-made fiber than there is in natural cotton, which adds to the cost of the American textile manufacturer.

Some of the people said during the debate in the House on the one-price cotton bill, that it is not fair to pay this subsidy to the textile manufacturer in the United States. I want it made absolutely certain that not one single textile manufacturer in this country has asked for a subsidy. He does not want a subsidy. All the textile manufacturer in this country wants is a fair shake, an even break with his competitor in foreign countries, and that means to sell him, our manufacturers of textile products in this country, the raw cotton at the same price at which it is sold to foreign manufacturers. That is all he wants.

I trust and hope that the Members of the other body will change this committee report and put back into the bill the one-price cotton system so that all of our textile people will be treated justly and fairly and equitably, as they should.

Mr. WHITENER. Mr. Speaker, I thank the gentleman. I would point out that after we passed the agriculture bill in 1963 many of us here in the Congress joined with many members of the textile industry in urging that this payment of the differential not be made to the textile industry, but be paid to the first handler or the last handler, before it got into the hands of the processor. This was not done. If it is a subsidy, it is a subsidy to the producer and not to the processor.

The gentleman from South Carolina [Mr. ASHMORE] has mentioned wages abroad. I know that the gentleman and I have oftentimes discussed our concern about the fact that compared to other industries in America our textile industry is a low-wage industry. This is not because the industry wants it to be that way. I believe it is a compliment to our industry people that they have raised wages as fast as they could when they had a fair break on the price of the raw materials. I believe they want to raise wages more. I believe it is going to be essential to raise wages more, because we have witnessed just in the past few hours a wage increase which is represented to be anywhere from 46 to 50 cents an hour for steelworkers. Our people working in the textile industry are going to have to have an adequate wage increase if they are to buy these products manufactured in other industries.

They cannot obtain that wage increase from a sick industry. It must be from a vital, vibrant, growing industry such as we have had as a result of the Cooley bill during the past 18 months.

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

Mr. WHITENER. I am glad to yield to my colleague, the gentleman from North Carolina.

Mr. FOUNTAIN. Mr. Speaker, I understand that the time of the gentleman is limited, but before he concludes I want to join my distinguished colleague, the gentleman from South Carolina [Mr. ASHMORE] and the distinguished and able chairman of the Committee on Agriculture, our colleague from North Carolina [Mr. COOLEY], in complimenting our very able and distinguished colleague, the gentleman from North Carolina [Mr. WHITENER], for the very profound and thought-provoking statement which he has made in support of one-price cotton.

As the gentleman knows, I come from a district which is primarily agricultural. We do have some textile industry in my district. However, I hasten to join the gentleman from South Carolina [Mr. ASHMORE] and my colleague [Mr. WHITENER] in concurring in the fact that the cotton farmer and the cotton manufacturer have problems which are mutual and they must work hand in hand.

Mr. Speaker, it is inconceivable to me that we can expect an industry as important as the textile industry, not only to one section of the country but to America generally, to return to paying a substantially higher price for cotton produced in this country than is paid by their foreign competitors.

Mr. Speaker, it simply is not right.

Mr. WHITENER. Mr. Speaker, may I express to my friend, the gentleman from North Carolina [Mr. FOUNTAIN], and the gentleman from North Carolina [Mr. COOLEY], as well as the gentleman from South Carolina [Mr. ASHMORE] my appreciation for their participation in this discussion and say that my position, and I am sure it is their position, that we must have a sound cotton economy in America. When we say that we must have a sound cotton economy, we are referring to the cottongrowers, to the cotton merchant, to the cotton manufacturer, and all who participate in it.

Mr. Speaker, we in America must have a healthy textile industry if we are to enjoy in peacetime the wonderful standard of living that we have always enjoyed in this country.

We certainly must have a continuing and growing textile industry if we are to have security in time of international conflict. There is no more vital segment of a nation's economy in time of crisis than its ability to properly clothe its military personnel as well as its civilians.

Mr. Speaker, I hope the other body will look at this monstrosity which is called the cotton section of the agricultural bill over there and correct the wrong that has been done. I urge that they bring out legislation such as we in this body have already acted upon. Our bill is fair to all segments of the cotton economy. It is conducive, in my judgment, to a sound cotton economy from an agriculture as well as a business standpoint.

Mr. Speaker, as I conclude these extemporaneous remarks may I express my thanks to those who have joined me in giving voice to our mutual hope for a fair cotton bill. To those who have so patiently heard these off-the-cuff statements I also express my sentiments of appreciation.

THE CONSUMERS OF CULTURAL ENTERTAINMENT SHOULD HAVE A VOICE IN DETERMINING THE BEST SITE FOR THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. WIDNALL. Mr. Speaker, the controversy over the site for the John F. Kennedy Center for the Performing Arts is still with us, as it has been since 1958, when the Mall location originally proposed by its sponsors for the National Cultural Center was preempted for an airplane museum. The Center project was moved into Potomac parklands along the river to an assigned site which has been the subject of heated discussion ever since. The issue became active again in August when the American Institute of Architects, the prevailing professional organization in its field, issued this statement calling for reconsideration of the site:

STATEMENT OF THE AMERICAN INTITUTE OF ARCHITECTS ON THE LOCATION OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The American Institute of Architects has received information that serious consideration is being given to the possibility of relocating the John F. Kennedy Center for the Performing Arts. The Pennsylvania Avenue plan suggests possible sites which were not available when the project was first conceived.

While the institute recognizes that plans for the Center are already well advanced, it questions whether the present location is adequate to receive properly a building of the size and importance of the contemplated Center, and it believes that another location might provide a more appropriate site for this great memorial to the late President Kennedy.

The institute therefore strongly urges that studies be made by the architect of the Center, the Pennsylvania Avenue Council, and the National Capital Planning Commission to investigate the possibility of placing the Center on the proposed national square or in some other location where it might better serve its purpose as a memorial to John F. Kennedy and as a center for the performing arts, and where this important building might make a greater contribution to the life and appearance of the city of Washington.

The architects' statement won the editorial support of the Washington Post, which has consistently opposed the riverside site as being difficult of access and inferior to a downtown location. The following appeared on August 16:

[The Washington Post, August 16, 1965]

CENTER SITE

The American Institute of Architects deserves a respectful hearing on its proposal for a review of the location of the John F. Kennedy Center for the Performing Arts. The professional standing of the group and its serious interest in the community entitle it to attention when it offers its views on a community decision of this kind.

The organization which has raised the matching funds for the Center has done a magnificent job in bringing the idea of the Center forward to the point of action and it would have a right to resent unfriendly or hostile obstruction. But the architects and and other advocates of an alternative location complain with some justice that full consideration has not been given to the Pennsylvania Avenue site under new conditions that now prevail. The Pennsylvania Avenue project was still under wraps when the basic issues on the Center site were last studied.

Earlier suggestions of another site were withheld while the program was proceeding through the legislative and fund raising stages because no one wished to disrupt these efforts. Now that this phase is concluded a final look at other locations can be undertaken without injury or delay. So much has been done to fix the Center at the Potomac site that change may be difficult if not impossible. But the community will go forward in better heart if it is demonstrated by the sponsors that their choice of a site is so good that they do not fear a reexamination of the issues.

In answer to the AIA and the Washington Post, there has been a rigid defense of the riverside site by Roger L. Stevens, the New York real estate executive, theatrical producer, and political fundraiser who came to Washington a couple of years ago as a volunteer to head up the Cultural Center. Mr. Stevens has testified frequently before Congress in support of the waterfront site and he has been indirectly quoted recently as making the following points: First, a Pennsylvania Avenue location would cost more; second, construction would have to be postponed; third, the river site is more esthetic; fourth, locations should be picked by businessmen, not by architects; and fifth, Congress has approved the Potomac River site and offered no other.

It is my belief that the American Institute of Architects should be allowed to state its case in detail to the Congress along with other experts who support its views, and that Roger L. Stevens and other proponents of the river site should be able to defend their position in free and open hearings. It is correct that such hearings, in order to be meaningful, should be based on new legislation by Congress. For this reason on August 19, I introduced a bill—H.R. 10558—which would permit the relocation of the Kennedy Center as part of the President's Pennsylvania Avenue plan. The bill has been referred to the House Committee on Public Works. However, the gentleman from Maryland, Representative FALLON, the chairman of the committee, has stated that he does not propose to schedule hearings on what he calls a closed issue. In this view he has received the support of the Washington Evening Star, which published the following editorial on August 25:

[The Evening Star, Aug. 25, 1965]

CLOSED ISSUE

With the initial construction contracts for Washington's cultural center only weeks away, Representative FALLON says it is simply too late for his House committee to reopen the quest of the Center's location. We trust that his decision, which is eminently sound, will officially end this fruitless controversy once and for all.

For Mr. FALLON's position is supported by much better arguments, of course, than the one he cites. It would not be too late, even now, to at least consider the merits of switching the congressional approved location from the Potomac River shore in Foggy Bottom to the downtown area if this could be done with any assurance of success. But there is no such assurance whatever. Indeed, the more likely prospect is that an official reconsideration at this late date would lead to such confusion that the project would be lost altogether.

Representative WIDNALL, supported by a smattering of local architects, suggests that the Center's facilities be located somewhere along Pennsylvania Avenue, on land acquired through urban renewal. Precisely where? Mr. WIDNALL doesn't say. In what architectural form? There are only the haziest of proposals. What would it cost, and when could it all come about? No one knows. To trade for these uncertainties the carefully planned, financially secure Kennedy memorial project which is now on the verge of construction in one of the loveliest areas of the Nation's Capital would be simply ridiculous.

To be sure, there are tricky problems of design, particularly as to access and egress, which must be carefully worked out in order for the Center to accommodate the crowds it will attract. But these are not insurmountable. The trustees are right to proceed with their contractual procedures as planned—for this is one of those instances where the issue of what might have been will still be argued, we suppose, long after the curtain goes up in Foggy Bottom.

This current editorial comment by the Star varies somewhat from the position it took on January 7, 1964, when it urged passage of the bill renaming the National Cultural Center as a Kennedy memorial. At that time the Star said:

The bill does not bar a later second look at the question of an alternate site for the structure.

Relating to its recent editorial, the Star, on September 1, published the following letter:

ARCHITECTS AND KENNEDY CENTER

SIR: Your August 25 editorial, "Closed Issue," concerning the site of the Kennedy Center is inaccurate and misleading.

The proposal for a study of other sites came not from "a smattering of local architects" but from the American Institute of Architects, which acted entirely independently of Congressman WIDNALL. The American Institute of Architects includes nearly 18,000 members representing about 90 percent of the architectural firms in the country. The same position has been taken at various times by the American Society of Landscape Architects, the Architectural League of New York, the Committee of 100 on the Federal City, the Washington Building Congress, the Washington Planning and Housing Association, the Federation of Citizens' Associations, and many distinguished writers on architecture and city planning. This position unquestionably represents the opinion of most informed experts in the field of architecture and planning.

The American Institute of Architects reopened the question of the cultural center site because it recognized that this will be one of the most important buildings in Washington. This being so, the Center must be placed in an appropriate setting where it can be easily reached and where it will make the greatest contribution to the life of the Nation and the city.

Since the present site fails to meet these requirements in many ways, it is obviously good sense, good economics, and good planning to find a location that is suitable. To admit at this late date that a mistake has been made is embarrassing, and some time and money will be lost in correcting the original error. This is a low price indeed to pay for the benefits that would result from making a change.

DAVID NORTON YERKES,
Director, Middle Atlantic Region, American Institute of Architects.

Meanwhile, the gentleman from Missouri, Representative CURTIS, was preparing his own version of a bill which would permit Congress to take a "later second look at the question of an alternate site." In a speech made when introducing his bill—House Joint Resolution 646—on August 31, Mr. CURTIS reminded Congress that in 1958 the legislative situation demanded that an alternative site be found quickly. He said:

The present Potomac site was thus hastily chosen as the best of the alternatives then available.

Mr. Speaker, during all of the provocative discussions of geographic pros and cons it seems to me that there has been, as usual, a forgotten man. In this case by "forgotten man" I mean the many thousands of Washington, Maryland, and Virginia residents who today support and attend cultural entertainment in the National Capital area and who are expected to be the audiences for the Performing Arts Center. Should we not undertake at least elementary research among the membership and supporters of the most active performing arts organizations in Metropolitan Washington? Since these are the citizens who in the long run are going to spell success or failure for the Center, I think that they should be polled. Although such information is overdue, it is not too late to seek it and to be guided by it.

Under the supervision of Congress, the Federal Communications Commission requires television and radio stations to prove periodically—usually through polls—that they are responsive to the needs and desires of the communities they serve. I think that Congress and the trustees of the Kennedy Center should be similarly responsive to the needs and desires of the community of consumers of cultural entertainment which the Center proposes to serve and to expand. I am therefore asking a representative group of publicly supported performing arts organizations to cooperate by promptly polling their mailing lists on the following propositions:

I vote for prompt hearings at which qualified experts can help Congress reexamine the site for the Kennedy Center.

I do not believe that hearings are necessary; the Center should be built at the river site.

With the cooperation of such organizations as the Washington National Symphony, the Washington Opera Society, the American Light Opera Co., the Washington Ballet, the Washington Civic Opera Co., the National Ballet, the Washington Cathedral Choral Society, as examples, I am told that some 50,000 known patrons of cultural entertainment can be quickly polled. I will seek the cooperation of the directors of these and other organizations and I hope to be able to report the results shortly to the Congress and to the trustees of the Kennedy Center.

HORTON MILK PROMOTION BILL WOULD END CONFUSION AS TO AUTHORITY FOR MILK PROMOTION DEDUCTIONS

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HORTON. Mr. Speaker, earlier this year I introduced a bill—H.R. 6081—which would provide authority for dairy farmers in a Federal milk marketing order to use their own funds to support promotion, advertising, and research of milk and dairy products, provided that such a program is approved by producers in a referendum.

Last year the Department of Agriculture filed an adverse report on a similar bill on the grounds that there already existed two private organizations engaged in similar types of activities. In addition, the Department pointed out in its report on this bill that the Department supported the programs of these private organizations and, in fact, facilitated the participation of dairy farmers in these private programs through the market administrators of Federal milk orders.

There does not exist any clear-cut legislation authorizing the Department of Agriculture to facilitate, or even allow, reductions to be made from the pay checks of dairy farmers to support the promotional efforts of these private organizations. Moreover, deductions are made from the pay checks of producers without any written authorization from these dairy farmers. Under these circumstances it would seem that the Department of Agriculture would strongly support my bill, especially since it would provide them with the clear-cut legislative authority that the Department does not now have.

I have written the Secretary of Agriculture expressing my concern over the Department's support of these private promotional and advertising efforts, and have requested that the Secretary reconsider his previous disapproval and support my bill. Obviously, when any deduction is made from a producer's pay check without his specific written approval and such a deduction is condoned or overlooked by the market administrator of a Federal order, the producer receives less than the minimum prices that he is required to be paid. This seems to me to be a clear violation of section 8c(5)(A) of the Agricultural Marketing Agreement Act of 1937 which provides that set minimum prices must be paid to dairy farmers.

Mr. Speaker, I bring this to the attention of my colleagues at this time in order to further solicit their support for the purpose of H.R. 6081 which would provide the Department of Agriculture with the unquestioned legal authority to participate in market promotion, advertising, and research in Federal order markets.

FOREIGN AID TO INDIA AND PAKISTAN

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, billions of dollars in foreign aid provided by the United States to India and Pakistan appears to be given in vain. Both countries are now at war in a senseless armed showdown that endangers peace throughout the world.

I strongly recommend that President Johnson immediately appeal to leaders of India and Pakistan to halt the fighting or be denied U.S. economic assistance, which so far since World War II totals nearly $10 billion.

Money from America has helped both countries with ambitious development programs. India and Pakistan undermine America's contribution to their economic development by conducting a war that should alarm every nation.

The President should give a "cease-fire-or-else" message to the two governments as quickly as possible in the interest of returning peace to the world.

WHO REALLY SETTLED THE STEEL STRIKE

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GROVER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GROVER. Mr. Speaker, the distinguished gentleman from Louisiana, the majority whip, has proudly announced to the House the great consensus achievement of our President—a latter-day Solomon—a new Henry Clay—in settling the steel controversy.

To have a nonpartisan, nonconsensus, not cynical, but balanced point of view, I think the membership should read the following article by Ted Lewis in the Monday, September 7, Daily News:

CAPITOL STUFF

(By Ted Lewis)

WASHINGTON, September 6.—Over this Labor Day weekend, the self-serving White House claque of Presidential hero worshippers and image protectors has been most active.

They put out a detailed timetable of how President Johnson, all by himself, prevented a steel strike. And they embellished the official account with some supposedly direct quotations from L.B.J. himself—typical Johnsonisms which served to point up the effective and dramatic way he alone was able to smother a labor-management controversy after everybody else had given up.

Not content with giving the White House version of how the steel settlement was brought about, claque members, clearly on the boss' bidding, reported that the President concluded last week—on all operational fronts—his most difficult and his most successful week of the entire year.

One of the big cited successes was establishment of a provisional government in the Dominican Republic. The impression was left that Johnson deserved credit for this, rather than the hemispherical peace team, composed mainly of Latin American members to whom the buck was passed when L.B.J.'s own troubleshooters McGeorge Bundy and Thomas Mann failed to find a solution.

The chief legislative problem in Johnson's most difficult and successful week was that of persuading a sufficient number of House Democrats to sign a petition so that a District of Columbia home rule bill could come to a vote.

This success for the President was actually more a tribute to his showmanship technique. It was a contrived operation from the start. The plot ran this way—House Democratic leaders, Speaker JOHN MCCORMACK and CARL ALBERT, would fail to get the required 218 signatures of House Members and appeal to the President to save the day. He would then move in dramatically with personal phone calls and get credit for snatching victory from defeat.

Which he did.

NONE WOULD STEP UP AND TAKE A BOW

Was the steel settlement similarly contrived?

Obviously neither I. W. Abel, president of the United Steel Workers nor R. Conrad Cooper, chief negotiator for the industry, would ever admit this on a stack of Bibles. The same goes for the President's own troubleshooters in the steel dispute, including Senator WAYNE MORSE, Democrat, of Oregon, Labor Secretary Willard Wirtz, and Commerce Secretary John Connor. Who

would dare deprive the President of total credit?

Nevertheless, there is fairly substantial reason to believe that the basis for a collective bargaining agreement had been reached last Wednesday—2 days before the President made his settlement announcement.

What had happened exactly a week earlier than last Wednesday helps to explain the indicated sequence of events. On August 25, the President, at a press conference, had emphasized in connection with the threatened steel strike the necessity of "continued cost and price stability in our American economy."

"I expect," the President added, "full and complete responsibility in the current wage negotiations and I expect continued stability in steel prices."

That statement was interpreted by management negotiators as an argument for sitting tight on their already submitted offer to the steelworkers. There was the feeling they had Presidential support, and that it was labor's demands which would, if granted, upset the economy. So there was a freeze in the settlement talks.

INDUSTRY FREEZE BEGAN TO THAW

By last Wednesday, however, the management freeze in the dispute began to thaw. Wirtz and Connor helped explain that there was a flexibility in the administration's views on price stability and that management could give a little as well as labor.

The word then went back to Pittsburgh that the negotiators, holed up under Johnson's orders, had pretty well got together except for ironing out a few details.

But that isn't the White House version, although it has been axiomatic in past labor disputes of similiar importance that the President does not put his prestige on the line unless the soundings show his intervention will be effective.

As a Presidential spokesman relates the developments here, last Thursday and Friday, were the crucial days when L.B.J. really bore down in a dramatic effort to break a stubborn management-labor impasse.

There is Johnson, operating like mad. His direct quotes, as now relayed, carry the conviction that the situation has worsened on Thursday. He tells the negotiators that "we've got 55 months of unparalleled prosperity behind us and I don't see how in the name of heaven you can gamble it away."

TIME HAS COME TO PUT THE STACK IN

And on Friday he has a private huddle with Wirtz and Connor. He recalls that the late Speaker Sam Rayburn told him once "that the most important thing in politics is to know when to put your stack in. The time has come for us to put our stack in."

Then he sends Wirtz and Connor back to the negotiators with his final "suggestions." Finally at 5:01 p.m. the representatives of labor and management succumb to the Johnson treatment.

Wirtz passes on by telephone from the negotiating room the first word of the great Johnson triumph. "Mr. President," he says, "you've got an agreement."

The whole White House-planted story is too pat. It smacks too much of a Greek legend about one of the miraculous labors of hero Hercules. It is far easier to believe the Pittsburgh version that both sides had reached informal agreement last Wednesday and what happened thereafter was just window dressing to gild the Johnson image.

HORTON RESOLUTION WELCOMING DELEGATES TO WORLD CONFERENCE ON WORLD PEACE THROUGH LAW

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HORTON. Mr. Speaker, I have the pleasure to announce to my colleagues in the House that I have introduced today a concurrent resolution expressing the sense of Congress that the people of the United States welcome to our land members of the legal profession from 120 nations who will be participating in the Washington World Conference on World Peace through Law.

This Conference, which is being held as a part of the International Cooperation Year as proclaimed by the United Nations General Assembly, begins in Washington on September 13, 1965. That day has been proclaimed World Law Day by the President of the United States, to further world interest in international law and to promote the establishment of a world legal system.

The importance of this Conference and of World Law Day, and the hope that they hold forth as a road to world peace through cooperation is singularly significant. The jurists, lawyers, and legal scholars who will attend this conference from every corner of the earth are the creators and leaders of their own national institutions of law and justice. It is precisely this group of men, who hold the keys to the formation of a meaningful system of international justice, that can lead us toward the goal of peace through cooperation.

I would like to quote briefly from a statement made by Charles S. Rhyne, chairman of the World Peace Through Law Center, regarding the purpose and importance of World Law Day:

> Law must replace force as the controlling factor in the fate of humanity. World Law Day will cause man to think and act to build through international cooperation a peaceful world which can only mean a world where the rule of law has replaced the rule of force. * * * No more meaningful project to save humanity from nuclear holocaust could take place as a part of International Cooperation Year.

As Americans, whose Nation is structured on the principles of law and justice, we should evidence every enthusiasm in welcoming the leaders of the world's legal profession to our shores. As Americans, we must be especially interested in their work, and especially concerned for their success in reaching for the crucial but elusive goal of world peace.

Mr. Speaker, I believe it can be no less than the sense of Congress that these delegates be warmly welcomed to the United States and supported in the worthy task they have set about to accomplish.

DOMINICAN REPUBLIC COULD BECOME A LATIN AMERICAN LAOS

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CRAMER. Mr. Speaker, I am greatly disturbed by a report in today's paper that the United States has offered Dominican Brig. Gen. Elias Wessin y Wessin $50,000 to leave the Dominican Republic. If this report is true, it is an alarming indication of the extent this administration will go to obtain support for a provisional government in the Dominican Republic which, in my judgment, could result in that country becoming a Latin American Laos.

The Communists have surfaced in the Dominican Republic. The rebel held zone has been turned into an annex of Havana with training in subversion, sabotage, and political indoctrination going on under the noses of the OAS peacekeeping force and the United States.

The Castro inspired 14th of June movement, the Red Chinese MPD—Dominican Popular Movement—and the Dominican Communist Party now control the rebel military organization in that country. As such, they will play a key part in the coalition government established this week.

Mr. Speaker, this administration has stumbled and bumbled the Dominican Republic situation and must bear the blame for what I fear will be an eventual Communist takeover there.

That the administration is now attempting to buy off what may be one of the last pro-American leaders in that country, in view of the facts I just recited, is alarming indeed.

The administration first asked Dominican General Berreras to drive the pro-Communist rebels out of the Dominican Republic. Following repeated attacks on the President's sending of marines into that country by so-called teach-in groups and other ultraliberal organizations and individuals in this country and Latin America, our goal quickly changed and what was formed as a protective zone to save American and foreign lives in downtown Santo Domingo became a wall of protection for the rebels themselves. Thus, Berreras' attempts to drive the rebels out were frustrated by the very same U.S. troops sent in to prevent that country from falling into the rebels' hands. Because Berreras refused the rebel demands voiced by the OAS team, he was forced out by the withholding of U.S. funds.

Having entered the Dominican Republic in the first place, it is inconceivable that the United States should have backed down in this manner.

Today, the Communist-led rebels are stronger than ever, both politically and militarily, and have been elevated to a position of dignity dictating much of the settlement terms and by becoming a partner in the provisional government in the Dominican Republic. They are certain to use this position as a platform from which to launch an intensive campaign to take over the Dominican Republic and to abort the election process supposedly guaranteed.

Mr. Speaker, the same considerations which justified our intervention in that country in the first place justify the continued presence of U.S. troops in Santo Domingo until we are certain that the country will not be taken over by the Communists.

All of this points to the failure of our policy with regards to the real trouble spot in this hemisphere—Communist Cuba.

Castro continues to be the real cancer in this hemisphere. He is now spreading his tentacles to Africa. So long as we refuse to take short-of-war action against Cuba, we can expect further Dominican Republics to erupt throughout the world.

I am hopeful the administration will consider a meaningful trade ban, the recognition of a non-Communist Cuban government in exile, and a stop to the flow of Communist trainees and arms between Cuba and other Latin American nations as well as Africa.

Following is an article from the September 6, 1965, issue of the U.S. News & World Report which discusses this situation. Following also is the press report on the U.S. offer of $50,000 to Gen. Wessin y Wessin which appeared in the Washington Post, September 7, 1965:

[From U.S. News & World Report, Sept. 6, 1965]

AS COMMUNISTS SURFACE IN DOMINICAN REPUBLIC

(NOTE.—Communists are out in the open now in the Dominican Republic, plotting to spread the fighting on a countrywide basis. Arms stockpiles, guerrilla schools, sabotage—all are involved in the Red strategy for an eventual takeover.)

SANTO DOMINGO.—A festering sore of communism, centered in downtown Santo Domingo, now is threatening to infect the whole of the Dominican Republic, adding to the problems that the U.S. faces here.

Active and powerful in the rebel zone of this capital city are three Communist groups. Each is hiding arms around the country, and training young men to use them later, in guerrilla war, or terrorism.

The Communists began surfacing their plans to fight on even as the rebel "President," Col. Francisco Caamaño Deño, was negotiating to end the civil war. There was increasing evidence that Caamaño himself was a captive of his Communist supporters.

Two of the Communist groups publicly rejected the plan to end the civil war by setting up a provisional government. Instead, they called for a Castro-style armed struggle to go on.

On August 11, one of these parties even dropped its old name, "Socialist," and came out openly as the "Dominican Communist Party."

Five days later, this party proclaimed its "main task": to prepare for further armed struggle, so that the Communists can win "victory in the next popular insurrection."

The second Communist group that calls for continued war is the Dominican Popular Movement, or MPD, which follows the Red Chinese line.

Third and largest of the Communist organizations is the "14th of June Movement," made up mostly of tough young men who want to follow the path of Fidel Castro.

POPULAR FRONT?

The 14th of June movement is saying little now about its long-range goal of violent revolution. Instead, it is trying to lure non-Communist leftists into a "popular front," with softer talk.

But the 14th of June movement, like the other two groups, is setting up forces to go on fighting.

Like the others, the 14th of June movement is stockpiling arms, in and out of Santo Domingo. Like the others, it is recruiting young men from all parts of the republic, and bringing them into the rebel zone for short courses in guerrilla war, sabotage, and terror.

Taxicab drivers do the recruiting. They tour the country, offering free rides back to the rebel zone to anyone who wants to get guerrilla training.

Intelligence reports from inside the rebel zone indicate many young men jump at the chance. An estimated 1,200 to 1,500 are in training at the center run by the 14th of June movement in a park in the rebel zone. At night, they go to classes in political indoctrination.

The group also operates an advanced school in demolition, judo, sabotage and hand-to-hand combat. This school, in the National Conservatory of Music, had 260 men and 30 women in training, in mid-August.

Col. Manuel Montes Arache heads the faculty. An expert frogman, he also is chief of armed forces in the Caamaño government.

Smaller guerrilla schools are run by MPD and the Communist Party.

These recruits are in addition to the hard core of Communists already trained to fight as guerrillas or terrorists.

Rock-bottom estimates of this strength, counting only trained partisan fighters, are listed this way:

MPD—about 500.

Communist Party—700 to 1,000.

Fourteenth of June Movement—more than 3,000. Not all are fully trained or politically indoctrinated, but all are under tight Communist control.

These people add up to a formidable armed force—particularly in a country as politically divided as the Dominican Republic. And, increasingly, there are reports that the power of the Communist groups is growing within the rebel camps.

Many of the reports come from Dominican military officers who have been with the rebels, but now are defecting in ever-increasing numbers.

Consensus of the reports from these defectors is that the Reds command at least 75 percent of the rebel zone's "commando" posts—the basic units of the rebel military organization.

In addition, the defecting officers say, Communists control all the rebel distribution points for arms.

WHAT REDS ARE PLANNING

Reports of new Communist strategic plans are seeping out of the rebel zone.

One of these plans is to seize a few small towns, far from the capital, and set up bases for Castro-type guerrilla war.

The best of the Communist guerrilla fighters would be slipped out of the rebel zone of Santo Domingo to lead these attacks. The targets would be lightly defended country towns, near mountains in which guerrillas could hide.

From all the data now in the hands of intelligence officials, one thing is clear:

Despite political compromises between opposing factions in the Dominican Republic, the Communists, now out in the open, are determined to fight on for an eventual Red takeover.

[From the Washington (D.C.) Post, Sept. 7, 1965]

UNITED STATES REPORTEDLY OFFERED WESSIN $50,000 TO QUIT

CHICAGO, September 6.—The Chicago Tribune said today that Dominican Brig. Gen. Elias Wessin y Wessen has been offered $50,000 by the United States in an attempt to get him to leave the Dominican Republic.

In an article from Santo Domingo signed by Jules DuBois, the newspaper said Wessin had turned down the alleged offer.

DuBois said Wessin told him in an interview that he was visited between midnight and 2 a.m. Wednesday by two men he identified as Lt. Col. Joe Wyrick, an Army attaché, and David Phillips, of the Central Intelligence Agency.

The article said Wessin said he had been offered the money for his three-bedroom home and a lot across the street.

CUBA BUSILY EXPORTING SUBVERSION TO AFRICA STILL—CONGRESSIONAL INVESTIGATION NEEDED

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CRAMER. Mr. Speaker, evidence of Communist Cuba's subversive goals continues to mount. No longer content with spreading his tentacles to other Latin American nations only, Castro is again actively working to overthrow African governments as well, having been successful already in Zanzibar.

In an article by Dan Kurzman in the September 3 issue of the Washington Post, this latest effort by Castro is ably explored. I will insert this article at the end of my remarks.

Mr. Speaker, I have lost count of the number of times I and others interested in and concerned about this problem have called for the implementation of steps to halt Castro's ability to speed subversion. Our appeals have continued to fall on the ears of an administration deaf to the problem and to the very real dangers associated therewith.

In my May 1965 report to the people of my district, I said:

> Castro's efforts to subvert other governments in this hemisphere were dramatically illustrated in the Dominican Republic and I predict that the festering troubles now besetting that Caribbean nation will erupt in much the same form in other parts of Latin America unless this country becomes determined to treat the disease as well as the symptoms.
>
> The disease is Communist Cuba where training in infiltration and subversion has become that island nation's major export.

As evidence of Castro's subversive activities in other parts of the world continues to mount, I broaden my prediction and suggest that Dominican Republic type situations will erupt in African nations as well as in other Latin American nations so long as Castro's activities remain unchecked.

Mr. Speaker, I am calling for a congressional investigation of Castro's subversion throughout the world in hopes that an in depth investigation by an appropriate committee of Congress will result in the implementation of steps by the administration to halt this spreading cancer.

Following is the above referred to article by Dan Kurzman which appeared

in the September 3, 1965 issue of the Washington Post:

CUBA BUSILY EXPORTING SUBVERSION TO AFRICA

(By Dan Kurzman)

Cuba is supplementing its program of subversion in Latin America with a major effort to help bring down African governments.

Indications are mounting that Cuba is busily exporting its subversion techniques to Africa. Among them, according to informed sources, are these:

In late May or early June, a Cuban vessel reportedly discharged from 30 to 90 tons of arms at Dar-es-Salaam, the capital of Tanzania.

Up to 100 Cuban Communists have arrived in Tanzania since late April mainly to give guerrilla training to African rebels of several countries.

Some 1,000 Africans are believed to have received guerrilla training and indoctrination in Cuba since 1962, and this program seems to have been accelerated in recent months.

The destination of the arms shipment is not clear, the sources said. Weapons, apparently consisting of small arms, machineguns, and mortars, could be intended for the Tanzanian Army or for rebel groups in other countries.

The Cubans who have arrived in Tanzania are understood to be training select rebel groups from the Congo (Leopoldville) and the two Portuguese colonies of Mozambique and Angola. One training center is believed to be located on the island of Zanzibar, which merged with Tanganyika to form the nation of Tanzania.

TWO CUBANS KILLED IN CONGO

In late June, two Cubans were killed by Congolese government troops in the eastern Congo. They had been fighting alongside rebel forces.

According to the Congo government, documents found on the bodies indicated that the two Cubans had left Havana for Moscow in late April, and that they then proceeded to Prague and Dar-es-Salaam before heading for the Congo.

Guerrilla training in Cuba, the informed sources said, is known to have been given in the last 2 years to Africans from Mozambique, Tanzania, Senegal, and Malawi. Unconfirmed reports have indicated that citizens of Portuguese Guinea, Kenya, and the Congo (Leopoldville) have also had such training. In addition, youths from Mali and the Congo (Brazzaville) have been studying in Cuba.

SENEGAL CONVICTS 27

In late June, 27 Senegalese were tried in Dakar and found guilty of subversion. One of the accused testified that the group had been recruited for guerrilla training in Mali and then been sent to Cuba for further training. He said they, as well as other Senegalese, stayed in Cuba for about 8 months. They returned to Mali in late 1964, then to Senegal, where they were arrested during December and January.

The witness said the Senegalese had been given instruction in the maintenance and handling of small arms. They also underwent combat exercises.

After the overthrow of Algerian President Ahmed Ben Bella, sources indicated Cuba may have moved its base of subversive activities from Algeria to Tanzania.

CHANNELS FOR CUBA

The Cuban effort to subvert Africa is believed motivated by several factors. First, it is seeking additional channels for release of its revolutionary energies. Second, success in Africa could increase its sagging prestige within the Communist bloc. And third, Cuba, by increasing its influence in Africa, hopes to win the support of more Africans in its conflict with the United States.

The campaign in Africa seems to have started seriously with the trip of Industries Minister Ernesto Che Guevara to Africa early this year. Only 2 months after his return to Cuba, the Cubans started appearing in Tanzania.

AUBURN DAM WILL HARNESS RESOURCES OF AMERICAN RIVER, IRRIGATE THIRSTY LANDS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. JOHNSON] 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 Hawaii?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, last Thursday morning Presidene Lyndon B. Johnson affixed his name to H.R. 485, the Johnson-Kuchel bill to authorize construction of the Auburn-Folsom south unit of the Central Valleys project. By so doing the President signed into law legislation for which we in the State of California have been working for many years. Completion of this project will completely harness the water and power resources of the American River, eliminating serious flood threats to our State Capitol of Sacramento, and putting to beneficial use the water resources which have been wasting into the sea.

As the sponsor of this project I am proud that this is an outstanding example of multiple-purpose development of water and power resources for flood control, irrigation, recreation, generation of electrical power, domestic and industrial uses.

I take great pride, Mr. Speaker, in the comments made by our President at the signing ceremonies, and respectfully insert them at this point in the CONGRESSIONAL RECORD:

We are delighted this morning to have our distinguished and very progressive Secretary of the Interior here with us, and some of the responsible Members of Congress, who have been very helpful to us in our endeavors during the past 8 months that the Congress has been here.

Those months have been marked by some savage and tragic contrasts in our water problems across the Nation. In the West and the Midwest, the raging floods have swept through town after town, claiming lives, destroying millions of dollars worth of property.

And while that was happening in the West and Midwest in our great country, here in the East we were in the grip of an unprecedented and deepening drought. And when these emergencies arrive, the Government is pledged to do what has to be done and what can be done.

Let me make it clear that I do not like emergencies:

First, because they are expensive. In the past 12 months the flood damages in the United States alone have amounted to $1¼ billion.

Second, because they are wasteful. Last year's floods in northern California alone carried enough water into the sea to meet the domestic and municipal and complete industrial demands of the entire Nation for a whole year—16 trillion gallons.

Third, because they are really unnecessary. We now have the capability to plan ahead and to build together so that these disasters can be prevented.

Our generation is challenged to really make a steady, determined, and, I hope, successful, effort to eliminate drought and flood from this land. In the last few months we have had challenges equally important that have been met. And if our astronauts can do what they did the other day—spend 8 days in space—we have got enough ingenuity, imagination and determination here to get the job done with drought and flood.

Now, the 89th Congress has responded more to this challenge than any Congress in our history. It has compiled the greatest 8-month record of conservation since the Nation was born. And today, as part of that record, we have gathered here in the White House to sign into law the Auburn-Folsom south project for California's Central Valley.

I saw CARL HAYDEN here and I was wondering if that was the billion dollar Arizona bill. But in every sense, this is really a modern answer to an age-old problem.

The city of Sacramento has been living under the perennial threat of floods from the American River. Now we are going to eliminate that threat with the construction of the massive Auburn Dam, and the water that is stored behind that dam will drought proof the entire Central Valley.

If this day had been in existence last year, when the American River rampaged, we could have saved enough water to serve the city of Sacramento for more than 5 years.

New homes and townsites, of course, will result and be developed. Industry and agriculture will be assured of the water they need. The reservoir itself, located on the western slope of the Sierras, will provide wholesome outdoor recreation for millions of nearby citizens. And, finally, the water of the American River will be spinning huge turbines, generating cheap electric power for the farm and for the city.

Thus, we add to the legacy of America—a legacy of protection against drought, of recreation, of electric power, and we will do it all with one single project.

Gov. Pat Brown, the very able and progressive members of the California congressional delegation, have worked long and have worked hard for the Auburn-Folsom south.

I am glad that I can be a small part of their diligence and their success, and I am happy to be able to participate in making their dreams come true.

I have never seen a dollar invested anywhere in this Nation in water conservation, in multiple-use projects, that in a period of even a decade didn't prove that it was a good investment, and would pay very high returns on what we had spent for it.

So, this is not the last conservation project that we will approve. It is not the last legislation in this field. We are going to continue it until we have stopped the floods, until we have prevented the drought, and we have the kind of conservation program that is worthy of the 20th century, and worthy of the foresight of the American people.

Thank you very much.

THE 4-H CLUBS—A VITAL FORCE

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. NATCHER] 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 Hawaii?

There was no objection.

Mr. NATCHER. Mr. Speaker, earlier this year I was visited by a group of 4-H Club members from my home district—the Second District of Kentucky. I was proud, Mr. Speaker, to be their host, for by their every word—by their every

action, they evidenced their appreciation of the nobility and greatness that is America.

Just as my young friends were impressed by their Capitol, I, too, was impressed. For these young people had come to Washington not to find fault but rather to find facts. The thirst for knowledge and truth is inherent to the young, and in this group, this inate quality had been developed and strengthened through their participation in the 4-H Club program.

Certainly, we all know and respect the 4-H Clubs of America. Established in 1914 by the enactment of the Smith-Lever Act, the 4-H clubs now have a national membership of more than 2,500,000 and its practices have been adapted for use in 76 countries around the world. The 4-H was at first an organization for farm youth. Gradually from cities, towns, and suburbs, young people, in the familiar pattern of their years and seeking—needing—the companionship, the discipline, and the benefits of this program, sought to belong, and today, membership in the 4-H Clubs of America is open to all between the ages of 10 to 21 years of age.

In Kentucky alone, over 100,000 boys and girls took an active part in the 4-H Club program during the past year. I have no doubt but that every boy and every girl of that 100,000 will be better for the experience. These young people know that they are playing—and will continue to play—a significant role in our society, for 4-H activities range from service on a community level to that on the national level, and 4-H Club projects cover more than 100 areas of interest.

In this program, vast and varied as it may be, this age group is given the opportunity to find themselves. Energies of a new and rising generation are directed into constructive channels. The sturdy, solid concepts of true citizenship and the strong values of fine character are stressed. The movement, in itself, deserves our respect and the leaders, those men and women of vision, wisdom and understanding, merit our highest praise.

Mr. Speaker, it is a very real privilege for me to salute the 4-H Clubs of America. I wish for them continued success. As long as the world, as we know it, exists, some things will not change: there will be the crops—for the hungry will need to be fed; and there will be the leaders—for there will be those to be led. This is, in essence, the obligation 4-H Club members are preparing to accept.

They will meet this challenge. Cynicism and fear have no place in their lives and with magnificent maturity, they offer their heads, their hands, their hearts, and their health to the betterment of their country and to mankind everywhere.

TRADING STAMPS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] 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 Hawaii?

There was no objection.

Mr. RESNICK. Mr. Speaker, my colleague, Congressman LESTER L. WOLFF from New York State deserves the thanks of every American consumer for his courageous inquiry into one of the Nation's biggest but least understood enterprises—trading stamps.

Mr. WOLFF stresses that he does not want to outlaw stamps but merely to make sure the housewife knows it if she is footing the bill for the widespread use of trading stamps. The following editorial from the National Association of Retail Druggists Journal, a drug industry publication, summarizes the service Mr. WOLFF is performing for the consumers of America.

TRIBUTE TO CONGRESSMAN LESTER WOLFF

"A veil of silence, a stamp curtain, has been dropped over the affairs of trading stamp firms. An investigation must be held of these companies, and it should start at once. I am also going to ask the Internal Revenue Service to justify and reexamine the determinations of trading stamp taxes. For if the statements of the stamp companies themselves are true, they are accumulating $50 million tax free dollars annually in their redemption accounts—to redeem stamps that will never be turned in.

"What stirred the New Yorker more than anything else was the flat refusal of the stamp company officials to sit down in a committee room with Members of the House and discuss on friendly terms exactly what is happening in the trading stamp field. He wrathfully told the House on July 27 that when discussions opened, five of his colleagues 'departed from their busy schedules to participate'; but that trading stamp companies wrote they had 'neither the time nor money to spend on such a conference.'

"Dr. Eugene Beam, economist of the S&H Stamp Co. (whose bought-and-paid-for testimony defending stamps I have answered on numerous occasions), wrote Mr. Wolff that 'fundamental issues belong in the market place and not in legislative halls'; and, 'In a free society the decision whether or not to use stamps belongs to the retailer.'

OIL COMPANIES TACTICS

"In the first instant, Dr. Beam is fully aware of the racketeering tactics used by oil company officials (in cahoots with stamp company salesmen) who forced trading stamps upon thousands of service station operators on the threat of losing their leases. They had no choice—and when dealers threw the stamps out, both stamp company and oil company representatives showed up together to 'get the stamp signs up again, or get out of this station.'

"The Federal Trade Commission has a file of affidavits attesting to such threats; and FTC knows also that hundreds of millions of dollars in free stamps, discriminatory prices on stamps, et cetera, have gone to the biggest stamp users who have killed off thousands of small dealers unable to obtain stamps, or give them out in special offers to consumers because small users paid the highest prices for stamps.

WILLIAM D. HASSETT—CONFIDANT OF TWO PRESIDENTS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] 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 Hawaii?

There was no objection.

Mr. FLOOD. Mr. Speaker, one of the great privileges in being a Member of Congress is the opportunity to become friends of exceptional persons in public life. One such person that I came to know and respect was William D. Hassett of Vermont, correspondence secretary and confidant of Presidents Franklin D. Roosevelt and Harry S. Truman, who died at his home in Northfield, Vt., on August 29, 1965.

A modest and scholarly man, he was the soul of tact in dealing with juniors as well as seniors, and thoroughly trustworthy. When once commenting on his retirement after a most distinguished career, he stated:

> Now, I am joining the ranks of those who are burdened with carrying the secrets of their Presidents to the grave.

In order that a summary of his career, as published in Washington, may be suitably recorded in the permanent annals of the Congress, I quote the following obituary notice:

[From the Washington Post, Aug. 30, 1965]

W. D. HASSETT, AID TO F.D.R.

(By Edward T. Folliard)

William D. Hasset, who served as a White House secretary in the Roosevelt and Truman administrations, died last night of a heart attack at his home in Northfield, Vt. He was 85.

Mr. Hassett was with President Franklin D. Roosevelt at Warm Springs, Ga., when F.D.R. died there on April 12, 1945. It was he who made the announcement that the 32d President was dead.

He could hardly have been surprised at the passing of Mr. Roosevelt. In a book he wrote later, "Off the Record With F.D.R.," he told of taking the White House mailpouch to the President that April morning, and said:

"I was shocked at the President's appearance. The weariness crept upon him from midday onward, as I saw too plainly when I had to return to the cottage after my morning visit."

Mr. Hassett, who was a newspaperman for 25 years, 11 of them with the Washington Post, was born in Northfield on August 28, 1880. He attended Clark University at Worcester, Mass., from which he received an honorary master of arts degree in 1945. Norwich University in Northfield gave him the honorary degree of doctor of letters in 1946.

He began his newspaper career on the Burlington (Vt.) Free Press, and joined the staff of the Washington Post in 1906. In 1911 he went to the Associated Press, where he remained for 5 years. Then came 2 years with the International News Service, after which he returned to the Post. From 1917 to 1921 he covered Congress and wrote occasional editorials for this newspaper.

In 1921 he became a foreign correspondent for the old Philadelphia Ledger. He was based in London but spent much of his time in Ireland covering the "troubles" between the Irish and the British. In 1924 he covered the inauguration of the Dawes reparations plan.

Mr. Hassett returned to Washington and went to work for the Federal Government in the early days of the New Deal. In 1935 he joined the White House staff. He soon became a favorite of President Roosevelt, who

was impressed by his amiable personality, erudition and keen memory.

Mr. Hassett treasured a photograph on which the President wrote: "To Bill Hassett * * * a rare combination of Buckle, Bartlett, and Roget * * * from his old friend, Franklin D. Roosevelt."

The reference was, of course, to Henry Thomas Buckle, the English historian; John Bartlett, author of "Familiar Quotations," and Peter Mark Roget, who got up the "Thesaurus of English Words and Phrases."

In the Roosevelt administration Mr. Hassett occasionally took over the duties of White House Press Secretary Stephen Early. His main job, however, was handling correspondence for the President, including a delicate exchange between F.D.R. and Myron Taylor, who was a liaison between the White House and the Vatican in the war years.

President Truman retained Mr. Hassett as a White House secretary, and he too assigned him to letterwriting, a task at which the Vermont scholar had great skill.

Mr. Hassett remained at the White House until July 15, 1952, when he resigned. He was then 71.

Thereafter, Mr. Hassett devoted his time to writing his book on F.D.R. and magazine articles.

Mr. Hassett always seemed to be surprised that he lived to be an old man. He and his close friend, radio commentator H. R. Baukhage, of 3100 Connecticut Avenue NW., used to make a point of reading the death notices on the bulletin board at the Cosmos Club. Mr. Hassett said he did this to make sure that he was still alive.

In 1959, after the death of his friend, Fleet Adm. William D. Leahy, Mr. Hassett was described as "the late Bill Hassett" in his old newspaper's obituary of the admiral. Mr. Hassett showed up in Washington and laughed off the report of his death as exaggerated.

Mr. Hassett had experienced heart attacks and a fall in recent years, but seemed to feel well on his 85th birthday Saturday.

Yesterday he attended mass at Norwich University, across the street from his home. After an early dinner he called his niece, Maxine McNamara, and asked her to summon a doctor, explaining that he felt "terrible." He died at about 9 p.m.

Funeral services will be held at 9 a.m. Wednesday at St. John the Evangelist Catholic Church in Northfield.

THREE BILLS INTRODUCED ATTACKING OVERHEAD POWERLINE PROBLEM TO BEAUTIFY AMERICA

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. OTTINGER. Mr. Speaker, on August 17, I introduced three bills attacking the problem of overhead powerlines which are a continuing challenge to our efforts to beautify America.

The first of these bills, H.R. 10513, directs the Secretary of the Interior to undertake an immediate survey of the number and effect of overhead transmission lines in the Nation and to develop some objective standard for measuring the destructive impact such lines have upon community planning, upon property values, and upon the natural beauty of our Nation. It also directs the Secretary to gather sufficient data to evaluate the affected overhead installations planned for the future.

The second bill H.R. 10514 authorizes the Secretary to undertake research, development, and demonstration projects in the field of underground transmission so as to perfect the necessary techniques to make such transmission economically and technically feasible. The Secretary of the Interior is the logical person to carry forward these programs, first, because of the traditional concern of his office with conservation of natural resources and, second, because his Department operates the largest single power system in the Nation.

My third bill, H.R. 10515, would enabe the investor-owned public utilities to participate in this effort by providing significant tax incentives to those companies that start underground installation. This is founded in a firm belief that private enterprise can and will take a position of leadership in the battle to achieve the President's goal of a more beautiful America, if these industries are encouraged by enlightened Government policy.

Two distinguished Members of this House have joined me in this program, the gentleman from Ohio, THOMAS L. ASHLEY, and the gentleman from Maryland, CLARENCE D. LONG.

I am pleased to report that our program for action has been warmly received in many quarters. The International Union of Electrical Radio & Machine Workers has endorsed all three proposals. Under the direction of its president, Paul Jennings, this great union has established a reputation for leadership in conservation matters. Mr. Jennings' statement is a cogent and succinct analysis of the challenge of the problem which I hope will be read by all who are concerned with maintaining the beauty of our Nation.

STATEMENT OF PAUL JENNINGS, PRESIDENT, INTERNATIONAL UNION OF ELECTRICAL, RADIO AND MACHINE WORKERS (AFL–CIO) ON UNDERGROUND POWERLINES, AUGUST 20, 1965

The IUE has long been concerned about the problem of overhead transmission lines and the damage that such lines can cause not only to natural beauty, but to property values, real estate revenues and local community zoning and planning efforts. The IUE believes that as a result of modern technology such damage is no longer necessary.

Today, there is no technical barrier to the development of economically feasible methods of underground power transmission. The art of power transmission has passed beyond such limitations. Unfortunately, the actual operating experience of the industry has not kept pace with this technical know-how.

The utility industry has not undertaken the experimental installation programs that would lead to actual construction, installation and operating cost reductions.

As a result, there has been no significant effort to determine, or reduce, the supposed cost differential between overhead and underground high voltage transmission lines.

The IUE knows that the utility industry of the United States can meet this challenge if granted the proper incentives. Ten years ago, it cost 10 times as much to put distribution lines underground as to bring them in on overhead poles. Using the new equipment developed by skilled workmen of the electrical manufacturing industry, the utilities have been able to develop operating and installation techniques that have reduced this differential to a negligible 1½ to 1.

For these reasons, the IUE supports the three bills (H.R. 10513, H.R. 10514, and H.R. 10515) introduced by Congressman RICHARD L. OTTINGER, Democrat of New York, on August 17, 1965.

H.R. 10513 would provide the necessary information about the extent of the overhead transmission problem in the United States and would result in the development of invaluable criteria for measuring the relative costs of underground and overhead systems in various situations.

FOR CENTRALIZED FEDERAL PROCUREMENT, LEASING, AND SERVICING OF AUTOMATIC DATA PROCESSING EQUIPMENT

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FASCELL. Mr. Speaker, I rise in support of H.R. 4845, a bill to provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies. This proposed legislation is urgently needed. I fully and wholeheartedly supported H.R. 4845, when it passed the House of Representatives on September 2, 1965. H.R. 4845 is identical to my bill, H.R. 10240, which I introduced for the same express purpose.

The bill we are considering would authorize and direct the Administrator of the General Services Administration to coordinate and provide for the economic and efficient procurement, maintenance, and utilization of the automatic data processing equipment needs of the Federal departments and agencies.

The complexities and rapid pace of the technological world in which we live, place a high demand on the immediate availability of data of all types. Government services are constantly expanding to meet the needs of a growing population which is now nearing 200 million persons in the United States. The electronic computer has been a great benefit to the Federal Government in coping with the ever present task of reducing the cost of providing Government service. President Johnson has said:

> The use of automatic data processing equipment during the past 10 years has contributed significantly to increased effectiveness and rising productivity in governmental operations. The electronic computer has enabled the Government to carry out programs which otherwise would have been impossible. Better and more economical services to the public have been achieved through the use of this equipment.

We rely heavily on automatic data processing equipment. Without the present generation of computers, man could never hope to reach the moon. There would be no ballistic missiles or Polaris submarines. It has been estimated that to process without computers

the flood of checks that will be in circulation by 1970, banks would have to hire all the women in the United States between the ages of 21 and 45. After the installation of an IBM 7094, the University of Chicago estimated that it takes about 1 hour of computer time to do the equivalent of 1 million man-hours of desk calculator work. Computers have a widespread usage in industrial applications.

In view of the great flexibility of digital computers, and the rapid advances being made in computer technology, undoubtedly there will be an expanding development of new applications. It has been estimated that nearly one-half of the computer business in the United States is with the Government, and the major portion of this business is with the Federal Government. Computers make out 95 percent of the Government's paychecks, keep track of military supplies and weapons all over the world, register the course, direction, and speed of all shipping in the North Atlantic, and now check all business income tax returns and a third of the individual returns. The number of computers in use by the Federal Government has been expanding rapidly. In 1961 the Federal Government had 730 computers in use; this figure rose to 1,006 in 1962, 1,169 in 1963, and 1,767 in 1964. A couple of years ago the Bureau of the Budget estimated that by 1966 the U.S. Government would have 1,500 computers in use; this number was surpassed in 1964. The figures above do not take into account the computers in use by military services on classified projects nor the computers in use by contractors of the Federal Government. It has been unofficially estimated that each of these two categories of computer users are equal to the number of Government computers cited above.

In June of this year the National Aeronautics and Space Administration ordered new computer equipment that will make it possible to process data sent back by spacecraft 40 times faster than the systems currently used. The cost of this order will range from $8 million initially to $18 million if all contract options are exercised. The Federal Government spends about $1 billion annually on the procurement, maintenance, and leasing of computers. We must expect a continued heavy and probably increasing Federal outlay for this type of equipment. Our responsibility here is to provide the authority for the most economical, efficient, and effective procurement and utilization of this equipment.

The General Accounting Office has noted that 867, or 86 percent, of the 1,006 computers installed in U.S. Government facilities as of June 30, 1962, were leased. The GAO revealed that cost comparisons of 16 models, which accounted for 523 of the 1,006 machines in use, showed the Government could save $148 million over 5 years if it bought the machines rather than leased them. Since then, the Federal Government has increased purchases of previously leased equipment.

The Comptroller General has recommended that the President establish a central management office suitably empowered with authority and responsibility to make decisions on the procurement and utilization of data processing equipment. Mr. Speaker, this bill would give such authority to the only logical agency to coordinate the procurement and utilization of automatic data processing equipment of the Federal Government; namely, the Administrator of the General Services Administration.

THE VOLUNTEER GENERATION

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. RODINO. Mr. Speaker, all too often today we hear of the shortcomings, the failures, the delinquency, the violence of our young people. It is to be expected that seaside riots, senseless vandalism and crime, as well as student protests, picketing, and other demonstrations on public issues, would receive widespread publicity. They make timely, emotional and sensational news stories.

But there are other qualities and activities of our young people which, unfortunately, do not receive as much attention. Here at home college students pitched in to help build levees during last spring's devastating Mississippi River floods. Abroad, they are helping people of the newer nations develop their individual and national resources. And no one of us should ever forget that night after night young Americans are risking their lives for us in patrols through Vietnamese jungles.

Mr. Speaker, Vice President HUBERT H. HUMPHREY has put the picture in proper perspective for us, in a most enlightening and penetrating discussion of his views on the younger generation, "What's Right With Today's Youth." At a time when the tendency is to condemn our youth for the minor element which creates havoc and crime, our Vice President has reaffirmed his faith and confidence in the potential of the vast majority to build a "greater, more dynamic nation." And if one were to choose a term for our youth, the Vice President would call them the volunteer generation. Under unanimous consent, I include this fine article, which appeared in Parade magazine of September 5, 1965, in the RECORD.

WHAT'S RIGHT WITH TODAY'S YOUTH—SOME RIOT—OTHERS DO GOOD DEEDS—THE VICE PRESIDENT LOOKS AT OUR CONTROVERSIAL YOUNGER GENERATION

(By HUBERT H. HUMPHREY)

WASHINGTON, D.C.—Young Americans give their lives for freedom in South Vietnam, while other young Americans demonstrate against our involvement there. Some young people rip apart seaside resorts, others work night and day to repair the flood-ravaged dikes of the Middle West. Our universities turn out the brightest, best-educated graduates in history, but at the same time we face a problem of school dropouts.

Which is the true picture of the younger generation? Are more and more young people finding their release in rioting, protests, and crime? Or is the trend upward toward honor and achievement? Will they send America into decline, or will they build a greater, more dynamic nation?

I believe the latter is true, and I can back up my belief with facts and personal experience. This is no reason for complacency. For we cannot allow even a fraction of our youth to squander themselves while we, who like to boast that we are older and wiser, stand by lamenting.

My interest in youth is by no means academic. As the father of four children (three still in school), I am concerned at the increase in juvenile crime not only in the slums, where there is the goad of dismal poverty, but among children who have never known want, children who should know better.

Like any other father of my generation, I have my share of skepticism about Beatle mops and dances like the Swim, the Frug and the Watusi. But then I find myself asking: Was there ever a young generation that didn't have crazes, and was there ever an old one that approved of them? What of the flappers of the roaring twenties, many of them now sedate grandmothers? What of the grandfathers who once sported Rudolph Valentino sideburns and those wide trousers known as Oxford bags? What about the Black Bottom and the Charleston? But we grew out of them.

I do not condone the excesses of youth. I don't mean the fads; I mean the rioting, violence and crime that cause us worry in our society. But again, I must ask how much we, the older generation, are responsible for the startling increase in juvenile lawlessness?

The war broke up families and reduced parental discipline. Then came the postwar years of the "fast buck" with an inevitable eroding of morality and family responsibility. Children were left to bring themselves up while their parents made up for lost time.

Now we are in a period of unprecedented prosperity, and I cannot help feeling that prosperity is a more severe test of character than adversity. Hard times, as I remember from my own youth, bring families together. In good times, it is all too easy to drift apart. Though the young people today enjoy luxuries never known to their parents, they are are also exposed to pressures and frustrations their parents never encountered.

MORE PEOPLE THAN JOBS

Our youth are quite conscious they live in a world that has the capacity to destroy itself and that the detonators are in the hands of the older generation. They are also conscious of the fact that, in our affluent society, there are more people of their age than there are jobs to go around. The number of workers 18 and 19 years old is expected to increase by half a million this year—twice the increase of last year. Before 1970, more than 3 million young people will swell the labor force each year.

Those without training and skills will face a bleak future. The unemployment rate for the young already is more than three times as high as for older workers. We are past the time when a living, even a humble one, can be made without anything but willing hands.

Our country does not owe anybody a living, but it does owe its youth at least the opportunity to work. Government and private industry are now alert to this problem, and we are doing everything we can to help these young people. There are youth opportunity centers, the poverty program, the Job Corps, the Neighborhood Youth Corps, the community action programs.

Of course, youth must be willing to work, and most of them are. I have spoken to thousands of young people at Job Corps camps and other training centers. Many come from broken homes; many are barely able to read and write. Almost all have been bitterly disappointed in their short lives.

Yet most are determined to pick up their second chance, acquire new skills, and face the world with hope.

Even more impressive are the thousands of young Americans who have an acute conscience about their own generation and want to help the less fortunate. They are intelligent, courageous, well-informed young people, willing to work long hours for little or no pay to correct what they feel is injustice.

Some of the student protests, picketing, marches, sit-ins have caused dismay among us older folk. Frankly, I have shared it, because some of the issues, in my view, have been false. But I must admit that America today might be a better place if the people of my generation had shown the same awareness. Fiery speeches and angry placards on the campus are, to my mind, far less dangerous to the Nation's future than the silence that stifles new ideas. Age in itself is no guarantee of wisdom. In a world changing as rapidly as ours, there can be as many old fools as young fools. Young Americans who get into trouble, who kick against the established order, are often the most alert.

Who of our older generation has not been a rebel? I have been one, and so has our President. Lyndon Johnson was a school dropout who left his native Texas to work with his hands in the fields of California. But he returned to enter college and begin his career as a teacher in a Mexican-American public school. His former students still remember him as a man who gave them knowledge and encouragement to face a world that all too often seemed stacked against them.

Lyndon Johnson held his first presidential appointment at 27, his first political office at 29. He has said: "No one knows better than I the fires that burn in the hearts of young men who yearn for the chance to do better what they see their elders doing not well, or not doing at all."

FAMOUS BEATNIKS

Today's young people—as students, as citizens, yes, even as demonstrators—are showing that they, too, want to do better. Of course, we have our beatniks. There have been beatniks in every age. Some of them are now listed among the world's leading artists, writers, musicians. Gauguin was a beatnik. So were Van Gogh and Edgar Allan Poe.

But I am less concerned with the eccentricities of genius, which can flower in the most unlikely soil, than I am with the mass of our young people today. I don't find them a beat generation at all, and I have met them by the thousands across this great country.

Our young people are a healthy and wholesome generation, less hypocritical, more frank than we were at their age. They speak more openly about sex, religion, politics, and other subjects that used to be taboo. In the age of computers, satellites, and almost instant communications, they are also more intelligent and competent. For this is the age of excellence.

Not long ago, I visited the nuclear aircraft carrier *Enterprise* and was amazed to find boys under 20 manning consoles of multimillion-dollar radar equipment. They were responsible for the safety of American pilots and million-dollar aircraft miles away at sea. At Loring Air Force Base, I talked with a grease-stained enlisted man whom I found working under a jet plane. "I understand you are pretty good," I said, "at keeping these planes in tiptop shape."

"No, Mr. Vice President," the GI replied. "We're not pretty good. We're the best." His commanding officer, Brig. Gen. Frank Elliott, completely agreed. "I have been in the Air Force a long time," he said. "This crop of youngsters is the best yet. They are more responsive and responsible."

No fewer than one-quarter of the members of our armed services are under 20. Our generals and admirals agree they are the finest young fighting men this country has ever produced, as tough as their fathers of World War II and Korea, more alert and adaptable and so more fit to use the complex weapons of the space age.

If I had to give the younger generation a label, I would call them, as the President has, volunteer generation. I may not always agree with the causes they serve, but I must always admire the spirit with which they fight. It could shame some of us older people who pride ourselves on being concerned citizens.

HOW FAR?

For example, a poll in a national news magazine asked American students how far they would go—beyond mere talk—to support a cause in which they believed. Some 93 percent said they would sign a petition; 72 percent had already done so. Some 87 percent said they would contribute money; 58 percent had already done so. An amazing 43 percent were even ready to go to jail.

More than 10,000 young volunteers are now serving in the Peace Corps. Another 3,000 have already returned after tours of duty. But most significant, more than 100,000 have asked to take part in this bold and idealistic experiment. When VISTA (Volunteers in Service to America—the domestic Peace Corps) was launched, more than 3,000 inquiries were received from young people on the first day of business.

When Parade's own editor, Jess Gorkin, had the inspired idea to ask the young people of America to "Work a Day for J.F.K.," the response was staggering. They went out by the thousands to mow lawns, clean cars, run errands, sell cookies and lemonade so they could donate their earnings to the John F. Kennedy Memorial Library. There was no compulsion such as is brought by the Commissars in a Communist society. It was merely a suggestion in one magazine for young people to accept or reject.

All it takes to rouse today's young people is motivation. They need to know that their contribution has a purpose. I grew up when it was important to help the family. It was important that we dug vegetables out of the sand and stored them in the root cellar. It was important that we earned money to help feed the family. Now in our prosperous suburbs, it is no longer important for young people to contribute to the livelihood. They are inclined to look upon the daily chores as merely an exercise in discipline.

I have complete faith in our young generation. Whenever I am weary or worried, I seek out young people. Many times, I have walked out of a meeting, depressed and discouraged, looking for some teenagers. I have found them to be a tonic; they rekindle my spirit and sharpen my wits. I am able to go back refreshed and revitalized.

We parents expect the young to learn from us and from their teachers. But this holds good only if we are prepared to learn from the young—to probe their problems and to admit, as history has proven time and again, that the follies of today can be the truths of tomorrow.

A WEEK OF GOOD NEWS AND SIGNIFICANT EVENTS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GALLAGHER. Mr. Speaker, regrettably, it is not always good news that makes interesting reading. But last week was full of good news and significant events.

I think that it might be a good idea to revive for a moment the now defunct television program "That Was the Week That Was." Last week the United States and the world were witness to some things which it seems impossible to squeeze into the space of a single 7-day period.

The world and the Nation breathed a sigh of relief when the Gemini 5 splashed safely into the Atlantic Ocean after setting a world endurance record.

The threatening steel strike was delayed and final settlement assured through the efforts of President Johnson and the parties to the dispute.

The strife-torn Dominican situation was finally brought to an accord and a new and hopefully lasting peace established.

On August 30 and 31 the House and Senate passed and sent to the President legislation creating a long needed Cabinet-level Department of Housing and Urban Development.

Home rule for the District of Columbia was brought a long way toward fruition with the completion of the discharge petition from the House District Committee. The 218 names on the petition will enable the bill to proceed to the floor of the House for a final vote.

In the area of foreign affairs, further successes were noted in the war in Vietnam. Confidence in the American and South Vietnamese armies continues to climb.

Secretary of Health, Education, and Welfare Gardner has called for a much needed Hudson River pollution conference to discuss a solution to end pollution in that great artery.

On the economic scene, figures were released showing that in the last month U.S. exports were ahead of imports. This situation could help to relieve the pressure from poor balance of payments.

Each of these events in itself could be considered "great" or "deserving." However, not one, but all, were accomplished during the past week.

In each of these events there is one man who weaves a thread of continuity throughout them all. The leadership of one man was behind each of these triumphs, in some, solely responsible, in others partly so. But on each of these there was left an historical imprint—L.B.J.

Acting in his capacity as President of the United States, Lyndon Johnson provided the leadership to bring each of these events to a fruitful conclusion. The President deserves the congratulations and respect of this Nation for leaving us with a long-to-be-remembered "week that was."

RIVERS AND HARBORS CONGRESS SALUTES MIKE KIRWAN

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. EDMONDSON. Mr. Speaker, the National Rivers and Harbors Congress this year selected one of our colleagues to receive a special citation and the George Washington Memorial Award for Distinguished Service to the Cause of Water Resources Development in the United States.

To my way of thinking, the Rivers and Harbor Congress could not have made a finer selection of a recipient for this high and distinguished honor than Congressman MICHAEL J. KIRWAN, of Ohio, a man who has been dedicated to the cause of water development throughout his long and distinguished service in the House of Representatives.

Mr. KIRWAN's record in the vital field of development and conservation of water, perhaps our most vital resource, is unexcelled, and he is, in the words of the National Rivers and Harbors Congress citation, "a consistent and outstanding exemplar of prudent Government concern in the use and conservation of the water resources of the Nation."

Mr. Speaker, I would like to have this citation of our esteemed colleague's record printed in the RECORD at this point:

The Committee on Awards of the National Rivers and Harbors Congress, with the concurrence of the directorate, having designated MICHAEL JOSEPH KIRWAN as most worthy to receive the 1965 Award of the George Washington Memorial the executive committee have ordered the issue of the following citation: For high courage and unselfish effort; for long years of public service, and for a clear vision of the needs of the future America, the George Washington Memorial is awarded to MICHAEL JOSEPH KIRWAN, of Ohio. Long a Member of the House of Representatives of the Congress of the United States and a consistent and outstanding exemplar of prudent Government concern in the use and conservation of the water resources of the Nation, he has contributed greatly to the welfare and security of his country.

Given in the city of Washington, D.C., this 11th day of June 1965.

LOWER MANHATTAN EXPRESSWAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 15 minutes.

Mr. RYAN. Mr. Speaker, few public policy proposals have been killed and reborn as many times as New York City's plan to build, with Federal assistance, a highway across Manhattan.

The Lower Manhattan Expressway was originally proposed over 25 years ago. The idea was antiquated then and is even more so now, especially if the new traffic patterns created by the recently constructed Verrazzano Bridge are considered. Public opinion in the affected area was against the proposal from the start, and the New York City Board of Estimate finally voted unanimously to reject the plan in December 1962. Since then, though, Mayor Wagner has attempted to bring the program back to life. Unless the Congress acts, his "lame-duck" efforts will make the ill-conceived expressway a reality.

I have, therefore, today introduced a bill to prohibit the Secretary of Commerce from approving any further plans or obligating any further Federal expenditure for the expressway, and to make the funds earmarked for the highway available for mass transportation facilities in New York City.

The expressway project has, from the beginning, been a study in poor planning. The highway is not integrated esthetically or functionally with the surrounding area. The proposed road is in direct conflict with another city proposal, an urban renewal slum-clearance plan, the Seward Park project.

The expressway is also a planning failure in terms of its own function. Only 55 percent of its envisioned capacity would be available to carry existing traffic during the peak hours. Its five single-lane entrances and exits in Manhattan can handle only 3,500 of the 8,600 east-west vehicles per peak hour. As a result, the average trip time would be reduced by only 30 percent.

Furthermore, and contrary to all the principles of sound transit planning, the expressway would bring between 70,000 and 120,000 more cars into the center of New York City. This is the very last thing the city needs, as the New York Times has commented:

The city should * * * by every means possible try to discourage automobiles from entering the heart of the city.

The human cost of the roadway would be almost incalculable. Over 2,000 families would be displaced and 48 commercial buildings would be destroyed. Mr. Speaker, that is 2,000 housing units being destroyed at a time when the city needs 300,000 more. In addition, 10,000 jobs and 800 small businesses would be eliminated—at a time when the city is already losing 20,000 jobs a year.

Yet, Mr. Speaker, the roadway would be the most expensive ever proposed. Besides removing some $28 million worth of property from the city's tax rolls, the project would cost the taxpayers $100 million or $40 million a mile.

We cannot lend Federal assistance to such a foolhardy scheme. The ultimate answer to urban transit problems lies not in the car and the highway, but rather in fast, comfortable, and convenient systems of rapid transit. Congress recognized this when it passed the Urban Mass Transportation Act last year; we must recognize it again in halting Federal aid to this ill-conceived project.

My bill would direct the Secretary of Commerce to certify the total amount of funds which would be expended on the proposed roadway and add these funds to money already granted to New York City under the Urban Mass Transportation Act. In this way, no Federal aid to New York City would be lost. Yet there would be a change in emphasis—a necessary change—as the Federal Government further places its support behind a forward-looking mass transit program.

Mr. Speaker, I urge quick action on this important measure.

The text of the bill follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce shall not approve, for the purposes of section 106, section 117, or any other section of title 23 of the United States Code, any survey, plan, specification, or estimate for the inclusion in any Federal-aid highway system of any highway in the State of New York which would be located along the following general route:

Beginning at a point on Interstate Route 78 at the New York-New Jersey boundary, thence generally easterly via Manhattan Island to the Williamsburg Bridge, with a branch generally southeasterly to the Manhattan Bridge and a connection with Interstate Route 478.

No Federal funds shall be otherwise obligated or expended on any such highway after the date of the enactment of this Act.

SEC. 2. The Secretary of Commerce shall determine and certify the total amount of (1) the funds which on the date of the enactment of this Act have been obligated but not expended with respect to such highway and (2) the funds which would be made available after such date for obligation and expenditure with respect to such highway but for the first section of this Act; and such total amount shall thereupon be available under the Urban Mass Transportation Act of 1964 exclusively for assistance in accordance with such Act (in addition to any other assistance provided for by such Act) with respect to facilities and equipment for use in urban mass transportation service within New York City.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Messrs. ADAIR, PIRNIE, MCCLORY, DERWINSKI, and Mrs. MAY for September 7 to September 17, on account of their appointment as Republican Members of the House to attend the Interparliamentary Conference in Ottawa, Ontario, Canada.

Mr. HANNA (at the request of Mr. WAGGONNER), for the remainder of the week, on account of official business.

Mr. PEPPER (at the request of Mr. BOGGS), for today, on account of official business.

Mr. KORNEGAY (at the request of Mr. BOGGS), for the rest of the week, on account of illness.

Mr. JONES of Missouri (at the request of Mr. ALBERT), for September 8 to 17, inclusive, on account of attendance at Interparliamentary Union Conference at Ottawa, Canada.

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. WHITENER, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. CURTIS (at the request of Mr. CLEVELAND), for 60 minutes, on September 9.

Mr. BOW (at the request of Mr. CLEVELAND), for 60 minutes, September 8.

Mr. RYAN of New York (at the request of Mr. MATSUNAGA), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. OLSEN of Montana (at the request of Mr. MATSUNAGA), for 20 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. MAHON and to include certain tabulations involving our foreign aid.

Mr. TEAGUE of Texas.

Mr. STANTON.

(The following Members (at the request of Mr. CLEVELAND) and to include extraneous matter:)

Mr. MARTIN of Alabama in four instances.

Mr. FINO.

(The following Members (at the request of Mr. MATSUNAGA) and to include extraneous matter:)

Mr. HOLLAND.

Mr. WRIGHT.

ADJOURNMENT

Mr. MATSUNAGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 8, 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:

1554. 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 a review of the reports on Potomac and Anacostia Rivers—removal of drift in the Washington metropolitan area, requested by a resolution of the Committee on Public Works, House of Representatives, adopted August 15, 1961 (H. Doc. No. 286); to the Committee on Public works and ordered to be printed with one illustration.

1555. 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 illustrations, on an interim report on Hocking River Basin, Ohio, in partial response to a resolution of the Committee on Public Works, House of Representatives, adopted August 16, 1950. It is also in full response to resolutions of the Committee on Public Works, House of Representatives, adopted August 6, 1948, and June 13, 1956 (H. Doc. No. 287); to the Committee on Public Works and ordered to be printed with illustrations.

1556. 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 an illustration, on a review of the reports on Rondout Harbor, N.Y., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 10, 1962 (H. Doc. No. 288); to the Committee on Public Works and ordered to be printed with one illustration.

1557. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 21, 1965, submitting a report, together with accompanying papers and illustrations, on a feasibility report on Woodbine Reservoir, Lyon Creek, Kans., in response to an item in section 203 of the Flood Control Act approved October 23, 1962 (H. Doc. No. 289); to the Committee on Public Works and ordered to be printed with four illustrations.

1558. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the "Limitation on salaries and expenses, Social Security Administration," Department of Health, Education, and Welfare, for the fiscal year 1966, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriations, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

1559. A letter from the Assistant Chief for Construction, Department of the Navy, transmitting report covering military construction awarded without competition during the 6-month period January 1, 1965, through June 30, 1965, pursuant to section 605 of Public Law, 88-390; to the Committee on Armed Services.

1560. A letter from George H. Jones, Jr., certified public accountant, Vienna, Va., transmitting a report of audit of the American Symphony Orchestra League for the fiscal year May 31, 1965, pursuant to Public Law 87-817; to the Committee on the Judiciary.

1561. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to extend the statutory burial allowance to certain veterans whose deaths occur as a result of a service-connected disability; to the Committee on Veterans' Affairs.

1562. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to provide statutory authority for the Deputy Administrator during the absence or disability of the Administrator, or during a vacancy in that office, and for other purposes; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 8445. A bill to amend the Internal Code of 1939 and the Internal Revenue Code of 1954 to change the method of computing the retired pay of judges of the Tax Court of the United States; without amendment (Rept. No. 959). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 10879. 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. DOW:

H.R. 10880. A bill to amend the Packers and Stockyards Act of 1921, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. FASCELL:

H.R. 10881. A bill to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RYAN:

H.R. 10882. A bill to prohibit the Secretary of Commerce from approving plans, specifications, and estimates for a highway along a certain route in the State of New York, and from any further obligation or expenditure of Federal funds in connection therewith, and to make the funds otherwise provided for such highway available for mass transportation facilities in New York City; to the Committee on Public Works.

By Mr. GARMATZ:

H.R. 10883. A bill to amend sections 9 and 37 of the Shipping Act, 1916, and subsection O of the Ship Mortgage Act, 1920; to the Committee on Merchant Marine and Fisheries.

By Mr. DENT:

H.J. Res. 655. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall no be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 656. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. KING of Utah:

H. Con. Res. 488. Concurrent resolution requesting the President to refer the matter of the diversion of surplus Arctic water to the International Joint Commission; to the Committee on Foreign Affairs.

By Mr. VIVIAN:

H. Con. Res. 489. Concurrent resolution requesting the President to refer the matter of the diversion of surplus Arctic water to the International Joint Commission; to the Committee on Foreign Affairs.

By Mr. BINGHAM:

H. Con. Res. 490. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. BRADEMAS:

H. Con. Res. 491. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. BROWN of California:

H. Con. Res. 492. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. EDWARDS of California:

H. Con. Res. 493. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. HORTON:

H. Con. Res. 494. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. MATSUNAGA:

H. Con. Res. 495. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. OTTINGER:

H. Con. Res. 496. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. MORSE:

H. Con. Res. 497. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. DUNCAN of Oregon:

H. Res. 570. Resolution authorizing the printing of the document, "Why Vietnam," as a House document; to the Committee on House Administration.

By Mr. FASCELL:

H. Res. 571. Resolution to express the sense of the House of Representatives declaring the policy of the United States relative to the intervention of the international communistic movement in the Western Hemisphere; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONABLE:

H.R. 10884. A bill for the relief of Miss Rosaria Laviano; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 10885. A bill for the relief of Leonard Henry Jadusingh and Rose Leith Jadusingh; to the Committee on the Judiciary.

By Mr. HALL:

H.R. 10886. A bill for the relief of Dr. Conrado del Rosario; to the Committee on the Judiciary.

By Mr. HARVEY of Michigan:

H.R. 10887. A bill for the relief of Jahangir Mohtadi; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 10888. A bill for the relief of John R. Groves; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 10889. A bill for the relief of Agnes Weltner; to the Committee on the Judiciary.

By Mr. O'HARA of Michigan:

H.R. 10890. A bill for the relief of Dusan Isakov; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 10891. A bill for the relief of Miss Mercedes Roxas Arguelles; to the Committee on the Judiciary.

H.R. 10892. A bill for the relief of Alejandro Lubrica Castillo; to the Committee on the Judiciary.

H.R. 10893. A bill for the relief of Juan Nello Nuezca; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 10894. A bill for the relief of Emanuele Appari; to the Committee on the Judiciary.

By Mr. SCHISLER:

H.R. 10895. A bill for the relief of Christine Anastapoulos and Panayotis Nicolaos Anastapoulos; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

268. The SPEAKER presented a petition of the City Council of Commerce, Calif., relative to funds for tax relief and alcoholic rehabilitation; which was referred to the committee on Ways and Means:

EXTENSIONS OF REMARKS

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my Washington Report to the people of the Seventh District of Alabama for March 11, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

HELP FOR THE AGED IN PAYING MEDICAL BILLS

Few of us would disagree that something must be done to help those in the upper age brackets who have passed their productive years and are faced with heavy medical costs. The question is, how is the best way to do it? The highly publicized medicare bill proposed by the President will not do the job. In fact, people are being greatly misled as to exactly what is in the medicare bill. It is misnamed because it does not pay any medical costs. It provides a limited payment for some hospital care. It is not confined to helping the needy, even millionaires can draw benefits paid for by taxing low and middle income wage earners.

On the other hand the eldercare bill, which I have introduced along with other Members of Congress (my bill is H.R. 5046) provides more benefits, including doctors' bills, does not increase social security taxes and will cost less money to operate. It does not set up a new Federal bureau to come between the patient and the doctor, nor does it increase Federal intervention in the rights and responsibilities of the States.

Little noticed in the well-organized propaganda campaign for medicare is the announced objective of its proponents—complete Government operated medical care for all the people. Whatever this is called, it is socialized medicine. No less an authority than Labor Leader Walter Reuther, one of the key planners of the Great Society, told members of his union that the adoption of the present medicare bill is only the beginning. The real goal, Reuther said, is to provide all medical care for all the people. The only way the people can head off turning the finest medical system in the world over to the social planners and the advocates of socialized medicine is to begin a nationwide letter writing campaign with every interested citizen contacting his own Representatives and Senators to urge the adoption of eldercare and the defeat of the administration's medicare scheme.

TAX HOAX

Have you filled out your income tax forms yet? If you have you now know how you were tricked last year into believing you got a bigger tax cut then you actually did. Do you suppose the Johnson tax cut was just a political gimmick to win votes in an election year? Here is what happened. When the tax cut was passed last year, the withholding tax rate was reduced. The trouble is that it was reduced more than the actual tax cut fixed in the bill. This oversized cut in withholding rates (underwithholding) made the tax cut appear to be greater than it actually was. Whether purposeful or accidental, this worked a cruel hoax on the unsuspecting taxpayer in the middle and lower income brackets. The result is that most people will now have to borrow money and pay interest to meet the demand of the Government for payment in full of the surprise tax liability due April 15. I am supporting a bill which would permit you to pay this extra tax in installments over the next 12 months.

BRIEFS OF THE WEEK

The great stampede

Under pressure from the White House and ruling out any move to alter, change, or in any way improve the bill, the House voted 257 to 165 to pass the Appalachia bill. The Great Society has now become the Great Stampede to increase the role of the Federal Government in our lives, build up the welfare state, up Federal spending and take over all the responsibilities of the States and the people. I voted against the bill when it became apparent that the bill was not designed to help a limited number of counties suffering from chronic unemployment, but rather the groundwork for a national boondoggle to spend the taxpayers' money in every part of the country, in rich counties as well as poor counties.

Although the President insists the United States is loved around the world, a State Department report just released shows that from July 1962 to December 1964 there were 53 cases of damages to United States buildings through mob violence in foreign countries. Since President Johnson's state of the Union message on January 4, 1965, there have been more than a dozen new assaults which have damaged American Embassies and other U.S. property. We have done nothing more than protest. Maybe we should think about these attacks on American property and American prestige, much of it encouraged by Communist governments, when we vote on the foreign aid bill.

One of the Great Society plans is to create instant veterans. Under the program to train 8,000 young men who cannot meet the minimum physical and mental requirements for military service, a youth could serve 1 day and then be discharged as a veteran, eligible for veterans' benefits for which other servicemen have had to serve long periods in uniform.

A Salute to the Teenagers of Conneaut, Ohio

EXTENSION OF REMARKS

OF

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. STANTON. Mr. Speaker, a well-known summer resort on Lake Erie in my district received nationwide attention over the July 4th weekend due to the disturbances of teenagers that eventually led to a full scale riot. These teenagers were not from our district.

In contrast to this activity, this past Labor Day weekend saw the teenagers in this same county of Ashtabula perform a public service that I think deserves equal attention by the American press.

On Labor Day over 1,200 travelers on Interstate 90 were served free coffee, doughnuts, and cake by high school seniors from Conneaut, Ohio. David Olds, the class president said:

It was great to see people so happy.

This project was the teenagers own idea. They worked in shift from 8 a.m. to 6 p.m. In addition to the refreshments each traveler was given a brochure published by the State entitled, "The Wonderful World of Ohio." People from California to New England were heard to comment with amazement, "and they won't take a penny." Class funds, as well as donations from local merchants, provided the supplies.

The generosity of the seniors from the Conneaut High School and their concern

for their fellowman speaks highly of the fine people who live in the city of Conneaut. Conneaut is known as the gateway to the State of Ohio due to its strategic location in the northeastern corner of our State and with such thoughtful and industrious teenagers the future of Conneaut is indeed a bright one.

Mr. Speaker, I felt I must point out to my colleagues this action by a group of teenagers. It is time we pay them the compliment of recognizing their outstanding and valuable services to their community instead of downgrading them as a group for the careless and irresponsible action of a few.

I am proud that Conneaut, Ohio, is in the 11th Congressional District.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my newsletter to my constituents of March 18, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

ANARCHY

When does the right of citizens to peacefully assemble cease to be a right and become anarchy? This is a question all Americans must ask themselves as a result of the tragedy of Selma. In remarks in the CONGRESSIONAL RECORD I reminded Members of Congress of the reason for the formation of this Government by quoting from the Declaration of Independence:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these rights are life, liberty, and the pursuit of happiness—that to secure these rights governments are instituted among me."

Governments are instituted among men to preserve the rights of all the people through law. Without the rule of law, there is no legitimate function for a government, and only those individuals would survive who could successfully take from their fellowman whatever their needs and desires demanded.

Now, from Webster's Dictionary we remind ourselves of the definition of anarchy: "Anarchy: (a) absence of government (b) a state of lawlessness or political disorder due to the absence of governmental authority—absence or denial of authority."

NO RIGHT TO INCITE VIOLENCE

What has gone on in Selma is anarchy. There has been a denial of authority and political disorder in revolt against governmental authority. Unless there is a return to reason and respect for law and order in Selma and in other places throughout the Nation, the anarchy which has been encouraged may well consume the fires of freedom of all the people of America, and the rights of all will perish including the rights of the minority with which we are presently concerned. Completely ignored in the demand for demonstrations in defense of so-called civil rights is the fundamental fact that the right to demonstrate does not include the right to incite anybody to violence.

There has been no reason for the demonstration in Selma; no reasons for the illegal sit-ins in the Justice Department or the White House; no reason for the marching in Detroit and Chicago and New York and Los Angeles. The Negroes in Selma have and have had the right to register and vote, and they are registering. I am told 350 were registered in that little community in the past weeks. The President of the United States promised Martin Luther King that the voting bill he demanded would be sent to Congress. All the demands of the civil rights leaders have been met and are being met. So why the demonstrations? Why the resort to anarchy?

BLUEPRINT CALLED FOR PROVOCATION

The goal was set forth in the blueprint for Selma, reprinted last week in the National Observer. The entire Selma operation was planned to arouse public sentiment around the country for the passage of a Federal voting law to take from the States the constitutional right to determine voter qualifications.

The law the President proposes does away with all qualifications. It will make it possible to register anybody of voting age, regardless of his ability to read or write or comprehend. If such a law is passed the South will never be the same, and neither will the rest of the country. We cannot remove completely all qualifications of intelligence for those who vote without bringing disaster down upon the South and the whole United States. The history of all countries which have provided no guarantees for rule by the illiterate proves that democratic procedures cannot operate unless the voters have at least the intelligence to know for whom they are voting and why. I am opposed to the President's bill.

What to do about it? We must come up with a better bill to keep our country from disaster. We must present a bill that will guarantee the rights of all qualified citizens to vote. At the same time we must protect the constitutional right of the States to determine voter qualifications. I am working on such a bill and have met with the Republican leadership to enlist party support behind such legislation. I am convinced we can stop the unthinkable measure proposed by the President and that we can get support from enough Southern Democrats to pass a bill which will not change our American system of government, nor return the South to the reconstruction period.

Federal Government and South Dakota: Partners in Crime and Vice

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. FINO. Mr. Speaker, today I would like to tell the Members of this House about the interrelation of gambling and crime in the State of South Dakota. The partnership of the Federal Government and the State of South Dakota in resisting legalized gambling merely insures that illegal gambling profits support underworld rather than public projects.

Last year's parimutuel turnover in South Dakota came to about $5 million. By my estimates, computed on the basis of testimony given before the McClellan committee, illegal gambling has a turnover of $120 billion a year in the United States. On a population basis, South Dakota's share of this total would be $480 million a year. This figure is too high, to be sure, but despite this, it is safe to say that there are tens of millions of dollars illegally gambled each year in South Dakota, and that much of this turnover contributes a profit to the mob, thus subsidizing all kinds of crime and vice.

What we need is government-operated gambling, so that satisfaction of the ineradicable gambling urge is not a function—a profitable function—of the underworld, but a government-run concession to social and financial reality. I feel that the best such device is a national lottery or a series of State lotteries. The time to act is now.

John Blatnik Shows Keen Grasp of Water Resource Utilization

EXTENSION OF REMARKS

OF

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. WRIGHT. Mr. Speaker, on August 26, my distinguished colleague, the Honorable JOHN A. BLATNIK, of Minnesota, addressed the International Water Quality Symposium in Washington.

Probably there is no Member of the Congress better qualified to speak on the subject of our national water problems than the gentleman from Minnesota. He has given both tirelessly and skillfully of his time and talents and energies to improving the quality of the Nation's water supply, and is in a very real sense, the "father" of our nationwide antipollution program.

Because Mr. BLATNIK's remarks displayed such a perceptive grasp of America's problem in effectively utilizing its water resources, I would like to commend them to my colleagues:

We have come together in this symposium on a mission which a short time ago would have seemed incredible to most people—finding ways to assure that when our children have grown to manhood in this bountiful country we inherited in our own childhood, they shall not want for a glass of water.

From the once green hills of New England, running down the Eastern seaboard as far as Richmond, Va., millions of Americans are for the first time joining those from other sections of our country in raising the cry of water shortage.

Is America really suffering a water shortage?

The answer is "No."

Our country is suffering from a hundred years of mismanagement, waste, devastation, and neglect of its water resources.

There is a shortage of scientific and technical know-how. There is and there has been for a long time a shortage of public funds and public attention directed to solving our water problems. But there is no shortage of water anywhere in the United

States, except in the traditionally arid sections of the West. Nor need there ever be a shortage.

This may come as a surprise to the 20 million people in eastern Pennsylvania, eastern New York State and New Jersey who are anxiously watching their reservoirs, worrying about the coming winter, and belatedly trying to conserve water in their homes and factories. Yet in this same area, drained primarily by the Delaware and Hudson Rivers:

As much as 20 billions gallons of water are being lost to the ocean each day because of inadequate reservoirs and water retention schemes,

An additional 20 billion gallons each day are lost to human use because of water pollution, and

An unlimited, endless supply of water lies off the coast, water which experts tell us could be turned into clean, fresh water at a cost of about 30 cents per thousand gallons.

Here, then, are three sources of good, fresh water—rain water which needs only retention and good management, waste water which needs only proper cleaning and pollution control, and salt water which scientists can transform if we have the will to match our need.

Why are not all three of these sources now pouring their billions of gallons into our drought-stricken areas?

One reason is the piecemeal, uncoordinated approach to water problems through which we have spent billions and billions for flood control to protect people from too much water, while neglecting the even greater evil of too little water.

Another reason why the available sources of water are not being used is our lack of technical know-how. We still do not know as much as we should about the earth's most plentiful element—about how to take salt out of water or to clean up sewage, or how to restore waste water. A society which has spent billions on space research has until now been miserly in financing research into man's most fundamental need, excepting oxygen.

A third reason and perhaps the basic reason is the public apathy of the past. The old saying that one never misses the water until the well goes dry is as true of metropolitan New York and Philadelphia today as it was on the Iron Range in Minnesota, when I was a boy. Few people then and few people now spend much time worrying about water so long as it keeps coming from the tap.

But in many parts of the country water from the tap is slowing down to a trickle. What shall we do?

First of all we must expand and enlarge and coordinate our public works programs. When our highway programs were uncoordinated, our road problem was in the same shape as our water problem is now. We are solving that problem by a massive integrated Federal and State program based on a realistic estimate of future needs. That is the only way we can solve the water shortage. The total cost of the highway program will exceed $41 billion—and the battle against water shortages must be waged on the same scale.

One of the promising future avenues for water management is the linking together of our water supplies into a national network, making excess amounts of water in one basin available to a neighboring basin which may be suffering a water shortage. California is planning such a system today, which will transport water over the entire length of the State, a distance equal to that from Chicago to New Orleans. Public power used a similar grid system for years, in bringing excess generating capacity in from one area to meet peakloads in another.

We need to speed up our research. The water desalinization program recently approved by the President calls for up to $185 million in the next 5 years. It is estimated that by 1970 this program will be producing millions of gallons of fresh water.

Under the Federal Water Pollution Act of 1962, two national and five regional water research laboratories are now being constructed to serve every region of the country. I am hopeful that an even stronger research effort may be made in water pollution control—research which can recapture the water we now waste and at the same time clean up our rivers and lakes and make them suitable again for recreation, fishing, and other good uses.

We are already making some progress in new water purifying devices and techniques. The little California town of Santee now has four lakes for boating, fishing, and swimming whose water consists entirely of reclaimed municipal wastes—water which has been so well and thoroughly cleaned up as to make it safe for all these uses. We need much more progress, however, in this field—progress which can only be accomplished by recruiting more scientific brains and by sponsoring more research and demonstration programs.

This California town is proof of what can be done to overcome the threat of pollution. To state the case for water pollution control simply, it's one of action. Action at every level of government. If no other good has come from the worst water crisis that has gripped New England in two centuries, at least it has brought a much needed awareness of the importance of water. It has caused people to act. It has created an appreciation of water that is long overdue. Now water vies with the weather as a conversation piece.

This has not always been the case. A decade ago it was a real struggle to pass the first Federal water pollution control bill. It was my honor to author that bill. Much has happened since those warring days of getting Congress to accept legislation that would make the Federal Government a full partner in the fight against dirty water. But the greatest part of the task still lies ahead.

If there is one lesson that can be gleaned from the legislative gains of the past decade, it is this: The most realistic, the most practical solution to the impending national water crisis is the prevention, control, and abatement of pollution. To pollute water is to destroy it. What good is it to have water at your doorstep if it is unusable? Some areas are forced to use water as many as six times. Reason then dictates that unless we solve or at least abate the ravaging effects of pollution, the water crisis will never be solved. The key phrase is "Reuse of water"—over and over and over again, until this process of reuse has become a standard procedure in all consumption of water.

Five years ago I predicted on the House floor that we would have a man on the moon before we have a solution to the water problem. I still stand by that statement. It is an irony of our time that while we have unlocked the mysteries of outer space and the mysteries within the smallest atom, we are still baffled by the problems of sensible use of our natural resources. We have allowed every major river system in the United States to become polluted. We have not learned to substitute synthetics for water as we have plastics for steel, saccharine for sugar, and nylon for silk. We have failed to do these things because we have lacked the sense of national direction that world crises forced us to assume with respect to the atom and the space race.

Let us hope that it will not take an urgent crisis to galvanize our country to action against water scarcity.

This Congress has been an active one in the field of water legislation.

Presently in conference and expected to be favorably reported is an additional forward measure to assist in efforts to prevent control, and abate pollution. S. 4, the Blatnik-Muskie bill, will provide leadership to the national move to halt pollution by creating the Federal Water Pollution Control Administration. This agency will be better equipped to more forward vigorously and effectively to enforce the Federal law. The enforcement procedures followed under the act have been remarkably successful in bringing about cooperative remedial action both by municipalities and industries involved. We fully expect that this will continue at an even more accelerated pace.

All of these programs will play an important role in meeting this challenge of dwindling water supplies in a Nation whose population will double in the next 35 years. But as I said earlier, programs far more costly and far more ambitious must be enacted in the years to come. Symposiums such as this will prepare the Nation for the effort which lies ahead, an effort calling for the same kind of teamwork among Federal, State, and local governments and private businesses that has made it possible for us to conquer another dilemma, our highway shortages with the greatest public works program in the history of the world.

Two thousand years ago North Africa was a blooming, prosperous region, the center of a rising civilization. But over the course of 20 centuries, because of the waste and neglect of natural resources, this fruitful garden area degenerated into a bleak desert, and a great civilization withered and disappeared. The Arabs who inhabited that region have been ridiculed by history, and perhaps justly so. But we in America in one short century have succeeded in destroying the major part of our natural resources. The heedlessness which stripped the famous cedars of Lebanon from the land, causing the water to run off the soil, has been repeated many times on a far larger scale in our country. We have ruined our natural resources, destroyed our grazing lands, ruined our farm soil in many regions, depleted our mineral resources, recklessly destroyed the beauty of our countryside, and now we are on the verge of the ultimate folly—destruction of our water resources.

It is an honor for me to take part with you in this symposium, in an attempt to promote the reforms that the situation demands. Your presence here is evidence that you are determined to develop the means and arouse the public support that will make it possible for the Congress to move boldly and energetically in the preservation of our natural resources. I congratulate you on your program, and I am grateful for being allowed to participate in it.

Survivorship Benefits for Servicemen III

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. TEAGUE of Texas. Mr. Speaker, Members will recall that I had the Veterans' Administration prepare tables showing the commuted value of benefits available to survivors of servicemen. My example today is that of a sergeant who has served 7 years and leaves two dependent parents:

SURVIVORSHIP BENEFITS FOR SERVICEMEN DYING FROM SERVICE-CONNECTED CAUSES

ASSUMPTIONS

1. Sergeant, U.S. Army.
2. Age 25 at death.

3. Death was service connected.
4. Seven years' service at death.
5. Three years in grade at death.
6. Average earnings, $251.10 a month (base pay).
7. Left dependent parents, each age 50 (no income other than shown).
8. Left no widow or child.
9. Parents live out their expectations of life (mother: 27.7 years; father: 23 years).

Benefits

Payee	Paying agency	Type of payment	Payment period (months)	Payment rate	Benefits		
					VA	HEW	Total
Father	Veterans' Administration	Disability insurance compensation.	[1] 144	$55.00	$7,920		
			[2] 132	22.00	2,904		
	Health, Education, and Welfare.	Social security (38 U.S.C. 412(a)).	[3] 132	76.30		$10,071	
Total					10,824	10,071	$20,895
Mother	Veterans' Administration	Disability insurance compensation.	[1] 144	55.00	7,920		
			[2] 132	22.00	2,904		
			[4] 56	50.00	2,800		
	Health, Education, and Welfare.	Social security (38 U.S.C. 412(a)).	[3] 132	76.30		10,071	
			[4] 56	84.00		4,704	
Total					13,624	14,775	28,399
Grand total.					24,448	24,846	49,294

[1] As 1 of 2 parents to age 62.
[2] Rate adjustment, due to social security income.
[3] Social security as 1 of 2 parents from age 62.
[4] Rate of payment as sole surviving parent.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my report to my constituents for March 4, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

WATER POLLUTION

Water pollution is becoming a serious problem throughout the United States. This past week an important hearing on water pollution featured testimony of Gov. Nelson Rockefeller of New York. He and his representatives came before my Public Works Committee and cited several problems existing in his State arising over the mounting population, increased industrial activity, and other factors in an expanding economy. An administration bill has already been introduced in Congress to expand the Federal participation in the water pollution problem as it exists in New York and other States.

Alabama has water problems, too. However, as compared to New York, we are in a much better condition regarding the pollution of our streams. Already several groups are at work on this problem back home, and since my appointment to the Public Works Committee, I have been studying, not only ways of alleviating water pollution, but assisting in water conservation, water transportation, water recreation, and other factors involving water. In some of these areas the Federal Government has a legitimate role. In others Federal participation is questionable. I expect to have more detailed reports on this from time to time as new legislation is considered.

RULES CHANGES

Many of us were disturbed, earlier in this session, because of the reduction by the liberal leadership of the power of the Rules Committee. Now the Speaker and a majority of the House can arrange between them to take a bill away from the Rules if it hasn't been reported out in 21 days. They can bypass the Rules Committee and the proven orderly legislative procedures and bring a bill directly to the floor for action or send it directly to conference, regardless of objections, when it has passed the House and Senate but is in dispute.

The Democrat leadership also shook the seniority system (which has been a major campaign issue with all southern Democrats) by demoting to a rank below freshmen, both JOHN BELL WILLIAMS, of Mississippi, and ALBERT WATSON, of South Carolina. This punishment was exacted on two southern Congressmen for voting their convictions in the November election. Congressman WATSON has now resigned from Congress and will seek reelection by his constituents as a Republican. The ultimate result of this juggling of congressional traditions and procedures is to weaken the South's entire position in the Congress, both House and Senate. It diminished the influence of a great southern statesman, Congressman HOWARD SMITH of Virginia and longtime chairman of the House Rules Committee. It has placed undue power in the hands of Eastern liberals. This Congress has witnessed almost the completion of the shift of control from the hands of many outstanding conservative statesmen, most of them southerners, placing the power in the hands of Eastern liberals who now make policy for the National Democratic Party and the voice of the conservative South is almost extinct within that party.

ELECTED TO REPUBLICAN POLICY COMMITTEE

I was highly pleased to be elected to the House Republican Policy Committee as the unanimous choice of the 89th Club. This club is composed of all the Republican Members, from every section of the Nation, elected to the House last November. The Republican Policy Committee is made up of Members of the House representing each of the major standing committees of the House, the various regions of the country and one at large Member to represent the newly elected Republicans. I appreciate very much this honor accorded me by my colleagues. It affords me an opportunity to become an effective voice for the South in Republican decisions as they affect legislation. I shall endeavor to represent my district and my State with determined leadership on this important committee. I consider it one of the important steps in our objective to achieve stronger recognition for the South in national affairs.

DINNER WITH THE PRESIDENT

Last Thursday evening my wife Pat and I, along with some other Congressmen and their wives, enjoyed dinner with the President and Mrs. Johnson. It was an exciting experience to visit the White House with all its history. We were briefed on the current situation in Vietnam by Secretary of State Dean Rusk and Secretary of Defense McNamara. While Pat, Mrs. Johnson, and other ladies toured the White House, I had an opportunity to talk to the President on some of the more pressing problems confronting Alabama. He agreed to meet with me for a more detailed explanation of those matters in which Alabamians are deeply concerned. I shall do my best to keep him informed and to enlist his support in our continued efforts in behalf of the people of Alabama.

Foreign Assistance Funds Available for Obligation, Fiscal Years 1957–66

EXTENSION OF REMARKS

OF

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. MAHON. Mr. Speaker, under leave to extend, and with the thought that it might be of ready reference when the House debates the foreign assistance appropriation bill tomorrow, I include a tabulation showing total funds available for obligation for the mutual defense and development program for each of the last 9 years, and for the current fiscal year, 1966, as estimated under the bill reported by the Committee on Appropriations. In other words, it reflects what the committee proposes for this year and what Congress has done over the 10-year period.

One-third of the total for the current year 1966 is for military assistance in South Vietnam and several other countries.

Two-thirds of the total is for economic assistance and development, including substantial amounts for South Vietnam and southeast Asia and for the Alliance for Progress initiated in 1960 in Latin America.

The right-hand column—column 5 of the table—shows that total obligational authority proposed in the committee bill for 1966 is far below what Congress allowed for obligation 5 years ago in fiscal year 1961, for example—over $1 billion below.

The committee bill is likewise far below fiscal 1962. It is also far below

fiscal 1963. It is slightly below last year. It is even below fiscal year 1960, the last year of the previous administration.

In fact, the total estimated available for obligation this year under the committee bill is lower than the amount for any of the last 9 years.

The table follows:

Foreign assistance—Mutual defense and development program [1]

STATEMENT OF AVAILABILITIES—10 YEARS (FISCAL YEAR 1957 THROUGH 1966)

[In millions of dollars]

	Budget estimate [2]	Appropriation	Unobligated carryovers, recoveries, reimbursements, etc.	Total available for obligation
(1)	(2)	(3)	(4)	(5)
1957				
Military	3,000.0	2,017.5	388.7	2,406.2
Economic	1,860.0	1,749.1	271.2	2,020.3
Total	4,860.0	3,766.6	659.9	4,426.5
1958				
Military	1,600.0	1,340.0	722.1	2,062.1
Economic	1,786.9	1,428.8	398.6	1,827.4
Total	3,386.9	2,768.8	1,120.7	3,889.5
1959				
Military	1,800.0	1,515.0	272.2	1,787.2
Economic	2,375.1	1,933.1	218.8	2,151.9
Total	4,175.1	3,448.1	491.0	3,939.1
1960				
Military	1,600.0	1,300.0	317.6	1,617.6
Economic	2,830.0	1,925.8	180.0	2,105.8
Total	4,430.0	3,225.8	497.6	3,723.4
1961				
Military	2,000.0	1,800.0	173.9	1,973.9
Economic	3,025.0	2,631.4	96.9	2,728.3
Total	[3] 5,025.0	[3] 4,431.4	270.8	4,702.2
1962				
Military	1,885.0	1,600.0	290.3	1,890.3
Economic	2,890.5	2,314.6	768.0	3,082.6
Total	4,775.5	3,914.6	1,058.3	4,972.9
1963				
Military	1,500.0	1,325.0	393.5	1,718.5
Economic	3,461.3	2,603.9	251.5	2,855.4
Total	4,961.3	3,928.9	645.0	4,573.9
1964				
Military	1,405.0	1,000.0	317.9	1,317.9
Economic	3,120.3	2,000.0	418.6	2,418.5
Total	4,525.3	3,000.0	736.5	3,736.4
1965 [4]				
Military	1,055.0	1,055.0	270.5	1,325.5
Economic	2,461.7	2,195.0	131.8	2,326.8
Total	3,516.7	3,250.0	402.3	3,652.3
1966 [5]				
Military	1,170.0	1,170.0	88.0	1,258.0
Economic	2,289.5	2,115.0	257.6	2,372.6
Total	3,459.5	3,285.0	345.6	3,630.6

[1] Title I of the bill, representing funds for the economic and military assistance programs traditionally understood to constitute the "foreign aid program" (sometimes called the "mutual security program").

[2] Represents executive requests as reflected in "House documents" and summarized in "Budget estimates" column of annual House Appropriations Committee reports adjusted to include supplementals.

[3] Includes $600,000,000 for special Latin America program (just preceding the Alliance for Progress).

[4] Preliminary.

[5] Committee bill.

Source: Prepared by the Agency for International Development, Sept. 2, 1965.

Mr. MAHON. Mr. Speaker, a word about the coverage of this table.

The figures pertain to military and economic assistance programs—title I of the bill, foreign assistance. These are the programs traditionally understood to constitute the "foreign aid program," or, as it is sometimes referred to, the "mutual security program." As such, they do not, of course, take in all oversea or foreign-type expenditures of the Government—nor has the so-called foreign aid program ever been considered or understood to be so all embracing.

There are, and for many years there have been, a number of activities involving U.S. operations overseas or other expenditure programs having oversea aspects to them. Obvious examples are the Peace Corps; the Public Law 480 program of sales of our surplus agricultural commodities for the currencies of the countries concerned; construction of oversea military bases; and so on. These are outside the so-called foreign aid program; traditionally, they always have been outside of it.

The table I have inserted is consistent with the one used last year. And it is on all fours with the traditional concept and understanding of the so-called foreign aid or mutual security program. I hope it will be helpful.

The Older American Worker: Age Discrimination in Employment

EXTENSION OF REMARKS

OF

HON. ELMER J. HOLLAND

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. HOLLAND. Mr. Speaker, yesterday W. Willard Wirtz, the Secretary of Labor, issued the traditional Labor Day statement. I found his remarks concerning efforts now being made to eliminate discrimination in employment on the basis of race, sex, and age were exceptionally pertinent.

Discrimination against the older worker is now being studied by the Select Subcommittee on Labor, of which I am chairman.

Under unanimous consent I place the Secretary's Labor Day statement, his testimony before my subcommittee, and the introduction to his report of June 30, "The Older American Worker: Age Discrimination in Employment," in the RECORD:

REMARKS OF W. WILLARD WIRTZ, LABOR DAY, 1965

This year, Labor Day means looking back with satisfaction and it means looking ahead with great encouragement and with hope.

In the last year, there have been more jobs created than ever before in the history of this country.

Unemployment, lower today than it has been in the last 8 years, gains on every front. And yet we look ahead too, with even more promise for the future. This summer more than 800,000 boys and girls went to work who wouldn't otherwise have gone if it hadn't been for the special programs that American industry put before them.

We look ahead now toward a year in which we are going to put youth employment behind us and give every boy and girl in this country an opportunity for the work which is that boy or girl's birthright. We look back on a year in which we have virtually eliminated racial discrimination as far as unemployment is concerned and we look ahead toward a year in which we will take great strides—make great strides—toward the elimination of racial disadvantage as far as work is concerned.

We face squarely this year the problem of discrimination on the basis of sex and we look ahead toward a year in which that problem will be behind us. We look ahead particularly this year toward the facing of the problem of discrimination against older workers, and we mean by older workers not just those over 60 or 65, but those who work at a disadvantage even after 45 or 50, and I count one of the real challenges of the next year ahead the elimination of that kind of discrimination.

And so on this day of parades and picnics, a day, too, when we look back at what we've done, we look ahead at what we, at the height of the affluence of the greatest nation in the world and history, can do with all that we have before us to assure full work opportunity for every man and woman; every child who has finished his education in this country.

Thank you.

STATEMENT OF W. WILLARD WIRTZ, SECRETARY OF LABOR, BEFORE THE SELECT LABOR SUBCOMMITTEE, HOUSE COMMITTEE ON EDUCATION AND LABOR, ON EMPLOYMENT PROBLEMS OF THE OLDER WORKER, AUGUST 25, 1965

I welcome the opportunity to participate in these hearings which deal with what my June report to the Congress, on the older American worker, called a pressing piece of unfinished business for those who consider it not heresy, but the fullest reverence, to include the perfectibility of life within the human competence.

This unfinished business is the combined task of establishing a public policy regarding discrimination based on age and of meeting the problems of American workers which are associated with advancing years. These years can in many ways be the best, if we only use the means at hand to make them so.

Employment—usefulness—is the difference for most people between life's having meaning or no meaning. Yet today, all too often, as a worker grows older he finds the doors of employment opportunity closed to him.

Only a small proportion of new employees hired today are 45 or older. In 70 percent of the establishments surveyed by the Employment Service for my report to the Congress, less than 5 percent of the new hires were workers 45 and over. One-fifth of the employers hired no workers over 45. Overall, only 8.6 percent of the total new hires represented workers 45 and over.

About half of all job openings which develop in the private economy each year are closed to those over 55. A quarter are closed to those over 45.

The consequences both to the economy and to the individuals involved of this waste of human resources show up in lost potential production, human hardship, and frustration.

Last year we averaged 1 million unemployed workers 45 years of age and over. During the course of the year about four times that many experienced some unemployment. The majority of these found work again within a few weeks.

But two-fifths of those between 45 and 65, and three-fourths of those 65 and over, were out of work for 15 weeks or longer. One in six of those under 65, and one in

three of those 65 or over were out of work for 27 weeks or longer.

About a billion dollars was paid out to workers 45 and over in unemployment insurance in 1964. A substantial proportion of this can probably be charged to age restrictions. The loss in potential production would amount to two or three times the size of these payments. The loss from involuntary retirement might be even greater; it might run to several billion dollars a year.

Although the employment of older workers has shown marked improvement during the first half of this year—they have begun to benefit from the general improvement in employment over the last 4 years—for all too many, reemployment will continue to be difficult or impossible because of various forms of direct and indirect age discrimination.

What became crystal clear from our year-long study was that the problems faced by older workers will yield to no single, simple solution.

Arbitrary and unjust discrimination, where it exists, must be stopped, but to rest at this would be to rest with less than halfway measures. Private retirement, pension, insurance and health plans, and seniority practices which on the whole protect and reward workers, operate against the reemployment of older workers, and need to be modified. The means of bringing jobs and workers together should be strengthened. Finally, we must enable our citizens of all ages to keep themselves better attuned to rapid progress, periodically to be refreshed through further knowledge and a new outlook, to catch up on education of which they were deprived or which they did not fully appreciate earlier.

Our study made it very clear that age discrimination bears little resemblance to discrimination based on ethnic or religious grounds. We did not find the dislike or malice that one encounters in racial discrimination.

The issue of discrimination revolves primarily around judgments regarding the effect of age on ability to work productively.

Yet we know that chronological age is a poor measure of ability or potential performance. On the key issue of physical capability, medical research gives no support to restrictive age lines which have been drawn. To the contrary. The aging process has, in most cases, little effect on skill before age 60.

Yet physical capability was by far the most frequent basis cited for age limits. Seventy percent of the firms which set age limits on this ground reported no study or investigation as a basis for judgment. Age limits purportedly based on physical demands of the job varied widely for the same types of jobs. Some employers hired older workers for jobs from which other employers barred them because of age.

Nor are chronological age limits supported by studies of work performance and productivity. There are wide variations among individuals in every age group, only very small declines in average performance up to age 60 even in factory production work which taxes physical stamina, and no decline in clerical occupations where a great many age limits are found.

Our study shows also that age restrictions are clearly related to the supply of labor and availability of jobs.

Higher proportions of older workers were hired in the skilled occupations, in the traditional crafts and in the professional and semiprofessional occupations where widespread shortages exist, and in the expanding but traditionally lower paid sales and services occupations.

The lowest proportions hired were in semiskilled and unskilled industrial occupations and in clerical occupations.

Employers were often quite frank in telling us that they would waive performance for younger workers if older workers were the only group available. Age limits were set at higher points for scarce skilled and managerial talent than for semiskilled or unskilled workers.

It thus becomes clear, as our report states, that "The fundamental fact that will determine the situation of the unemployed worker is the condition of the national economy * * *. Full employment comes first in any serious intention to eliminate the disadvantages which unemployed older workers must overcome."

But there are also many specific problems which need positive action to resolve.

Our report recommended action in four areas. As the report indicated, these recommendations derive only from the directive and the study. They do not constitute proposals by the administration. Their ultimate consideration will necessarily be as part of a broader balancing with other important measures involving other needs.

First, we need to eliminate arbitrary age discrimination in employment where it exists.

We have explored the possibility of new nonstatutory means of dealing with arbitrary discrimination. That area is barren.

Twenty States and Puerto Rico now have statutes prohibiting arbitrary discrimination in employment on the basis of age. We have conferred with the administrators of these laws and made detailed reviews of experience in seven States. The administrators are agreed that the statutes provide a strong foundation for an aggressive education program. The laws clearly have reduced the more obvious forms of discrimination, such as age specifications in help wanted ads. Most of the States are hampered by inadequate funds and staff. Some States report, however, that job opportunities have increased for older workers since their laws were enacted.

About two-fifths of the complaints filed under these laws by workers alleging age discrimination have been found by the State authorities to warrant administrative action to bring the employer into compliance.

The Federal Government needs to declare and implement a national policy with respect to hiring on the basis of ability rather than age. It is clear from State experience with statutes prohibiting age discrimination in employment that they can help reduce such practices when well administered and well enforced. It is also clear that an educational program, most essential to good administration and achievement of good results, is far more effective when based on a statute.

Even though a claim of arbitrary discrimination is found to be unsubstantiated, public responsibility should extend to acting upon other needs of the worker which may have given rise to the claim—reeducation, training, counseling, health care, or just placement assistance.

Second, we need action to adjust certain institutional arrangements where they work to the disadvantage of the older worker.

Pension plan limitation were cited by some employers as a reason for not hiring older workers. This is only in part a cost question, perhaps in lesser part. Many private pension plans exclude new employees beyond a certain age from coverage—one-third of them at age 55; one-half at age 60.

Similarly, promotion-from-within policies and staffing policies designed to maintain a work force age balance often restrict hiring to lower paid entry levels considered unsuitable for older workers.

Seniority systems which protect workers with long service may—where units are narrow and rules rigid—result in layoffs of older workers with long service from one unit while new workers are being hired in another.

Early retirement is also a mixed blessing for the older worker. On the one hand it makes it possible for some to retire when faced with displacement or layoff; on the other it tends to push downward the maximum age at which employers will hire new workers.

The President's Committee on Corporate Pensions made a number of recommendations to the President last January. These, particularly those for vesting and portability of pensions, deserve serious consideration.

New forms of private annuity coverage should be encouraged to provide some retirement income for older workers without increasing the new employer's pension costs inordinately or requiring modifications in his pension plan.

A comprehensive formal review is also needed for our systems of providing income during disability, to fill gaps in coverage and income protection in such a way as to remove obstacles to employment of both older and handicapped workers.

We should like to see assistance provided to private parties in collective bargaining in the complicated area of seniority. Surely procedures can be devised which will open up added employment opportunities for displaced workers with years of industrial service while protecting the seniority rights of employed workers.

The third area of action involves the increased avaliability of work by creating more jobs and improved matching of skills and jobs.

The U.S. Employment Service and its affiliated State services constitute the first line of operations. We know from experience that much more can be done for the older worker when a concentrated effort is made. The resources of the employment service have been taxed by the employment needs of many disadvantaged groups and of the postwar baby crop that has been swelling the labor force.

Additional part-time work opportunities are needed for persons approaching or already in retirement, not only in private employment but in community and public services. The poverty programs, health and medicare programs, education, social services, recreation, homemaking, repair and maintenance services suggest possibilities.

Further, our collective efforts and our thoughts must take some new directions.

Job redesign can enable more older workers to function effectively at high levels of productivity. In the past we have tried to fit people to jobs—we need also to fit jobs to people.

Beyond the work span, the prospects of increasingly longer periods of retirement dictate better preparation and planning for those years—many more programs are needed, possibly under joint labor-management sponsorship patterned after some which have already proven their value.

It is far better for individuals and for society to seek ways to develop, preserve, and utilize human abilities, than to cast them aside, lose their contribution, undermine their sense of human dignity, and add to mounting welfare costs.

As long as many community tasks remain undone, many services remain unprovided, and people who are willing and able to work are idle, local communities should be encouraged and assisted financially to undertake such tasks and provide such services.

We recognize that such opportunities cannot be provided everywhere to everyone who needs them. Special consideration should therefore be given to meeting the income needs of the tens of thousands of unemployed workers between age 55 and 65 who have in-

adequate financial resources, have exhausted their unemployment compensation, are not yet eligible for retirement benefits, and have no prospects of employment.

The fourth and last area of action may involve the most important steps we can take and therefore may call for the most far-reaching solutions.

Men and women are living longer than in the past while the world of ideas, of knowledge, of work is changing more rapidly. No person today can afford to fall very far behind in the race between education and catastrophe.

One of the older worker's greatest handicaps is that he often has insufficient education to meet the requirements of today's jobs. This is perhaps the most important single barrier to the reemployment of displaced workers when they are competing with better educated youngsters. Three-fifths of our work force 55 years of age and over has less than a high school education; more than one-fifth has less than 8 years of schooling.

Our experience under the Manpower Development and Training Act has taught us that retraining programs for many older workers must be custom tailored. Though there are still too few in Manpower Development and Training Act training programs, we now have some means of assisting those who are unemployed. As yet, however, we have no adequate means for enabling workers to complete their educations while they are still employed and before they become vulnerable to displacement as technology changes or plants relocate.

The situation calls for a new system of continuing training and educational opportunity to prepare workers, while they are still employed, for job changes, to reduce their vulnerability to displacement, to protect them against discrimination, and to open the way to satisfying activity in retirement.

Such a program should be available, with appropriate financial assistance, to workers who failed to obtain good educations earlier or who need to refresh or modernize their knowledge or their skills.

The methods of financing the program would require thorough study. Some form of contributory educational insurance might be envisaged. Exploration is also needed of methods of interweaving work with new types of adult education, with educational sabbaticals.

All of these proposals constitute an investment in people which would benefit not only the individuals it would serve, but the entire economy and all of society.

I realize that bringing the variety of programs I have sketched here to fruition is a long task which cannot be completed in 1 year or even 2. We have tried to take a long look ahead, and suggest a course along which to proceed. The time is at hand to start the journey.

INTRODUCTION TO "THE OLDER AMERICAN WORKER"

The poet Browning could write of growing old, and say of it: "The best is yet to be, the last of life, for which the first was made."

A century later, reality has still not caught up with that poetry. Although scientists and doctors have extended life with almost incredible ingenuity, and have eased some of the physical pains of old age, there has been no comparable invention regarding the uses of these long years of vigorous active life that now commence at the point where, until almost this generation, life began rapidly to ebb. Yet, this is in truth a miracle, a new age of man; and it is hardly to be wondered that it has brought with it new problems as yet unsolved, indeed as yet hardly examined.

The Social Security Act of 1935 established a historic precedent, but security is no more than a foundation for satisfaction, and not itself enough. Subsequent legislation—various housing acts, parts of the antipoverty program, provisions to cover some of the costs of illness that comes with age—has recognized the right to grow old in decency. Yet decency, too, is meager reward.

Meeting the problems associated with advancing years remains, accordingly, a pressing piece of unfinished business for those who consider it not heresy, but the fullest reverence, to include the perfectibility of life within the human competence.

There is, in this connection, no harsher verdict in most men's lives than someone else's judgment that they are no longer worth their keep. It is then, when the answer at the hiring gate is, "You're too old," that a man turns away, in another poet's phrase, finding "nothing to look backward to with pride, nothing to look forward to with hope." If that verdict is fair on the facts, it can only be viewed as part of life's bruising mystery. But if that verdict is unfair or unnecessary, it is part of man's inhumanity to man that can be and must be stopped.

All of this is the context of the Congress provision, in section 715 of the Civil Rights Act of 1964, that:

"The Secretary of Labor shall make a full and complete study of the factors which might tend to result in discrimination in employment because of age and of the consequences of such discrimination on the economy and individuals affected. The Secretary of Labor shall make a report to the Congress not later than June 30, 1965, containing the results of such study and shall include in such report such recommendations for legislation to prevent arbitrary discrimination in employment because of age as he determines advisable."

This report is presented in response to this requirement.

The congressional directive was carefully and precisely worded, avoiding prejudgment of the influence of discrimination on the employment of older workers, recognizing subtly that not all discrimination in this area is "arbitrary," asking a broad consideration of all "factors which might tend to result in discrimination" in employment because of age, and requesting a report on the consequences of these factors both on the economy and on the individuals affected. These guides have shaped this report.

The development of responsible and effective public policy regarding discrimination based on age requires as steadfast and unfearing confrontation of reality as did the development of a national policy opposed to discrimination based on race, color, religion, sex, or national origin. But there is an essential difference.

The Nation has faced the fact—rejecting inherited prejudice or contrary conviction—that people's ability and usefulness is unrelated to the facts of their race, or color, or religion, or sex, or the geography of their birth. Having accepted this truth, the easy thing to do would be simply to extend the conclusions derived from it to the problem of discrimination in employment based on aging, and be done with the matter. This would be easy—and wrong.

The gist of the matter is that "discrimination" means something very different, so far as employment practices involving age are concerned, from what it means in connection with discrimination involving—for example—race. It means in connection with the age question, furthermore, several different things.

Employment discrimination because of race is identified, in the general understanding of it, with nonemployment resulting from feelings about people entirely unrelated to their ability to do the job. There is no significant discrimination of this kind so far as older workers are concerned.

The most closely related kind of discrimination in the nonemployment of older workers involves their rejection because of assumptions about the effect of age on their ability to do a job when there is in fact no basis for these assumptions. It is this which Congress refers to, in section 715 of the Civil Rights Act, as "arbitrary discrimination."

A third type of discrimination—which should perhaps be called something else entirely—involves decisions not to employ a person for a particular job because of his age when there is in fact a relationship between his age and his ability to perform the job. The only reason for marking out this third area is that it clearly does exist so far as the age question is concerned, but does not exist so far as, for example, racial or religious discrimination are concerned.

There is finally, so far as age is concerned, that kind of "discrimination" which results when an employer turns an older man or woman away, not because of concern about the individual's ability to perform the work, but because of programs and practices actually designed to protect the employment of older workers while they remain in the work force, and to provide support when they leave it or are ill. Seniority and promotion-from-within systems, and pension and insurance programs, are a mark of civilization. They vastly enhance the dignity, the security, the quality of the later years of life in the United States. At the same time, ironically, they sometimes have tended to push still further down the age at which employers begin asking whether or not a prospective employee is too old to be taken on.

With these distinctions between various kinds of "discrimination" in mind, it is important, next, to recognize that there are two sets of value judgments to be made regarding any particular kind of discrimination based on age.

The most obvious of these judgments must be made in terms of the justification for particular employment practices in relationship to the efficient operation of a particular enterprise and of the economic system as a whole. This includes the value to the system of making maximum use of the Nation's full manpower potential, of each individual's full capacity.

What is less obvious, indeed still unclear, is the extent to which account is properly taken of the value to the individual of opportunity which the most efficient operation of the system as a whole might not provide. The prevailing assumption is that people are created for jobs not jobs for people. The difference between a great and a lesser society—particularly one which prides itself on being individual-oriented rather than system-oriented—includes its readiness to review this traditional assumption. The point is clearest in the case of an older person whose economic value becomes marginal in traditional marketplace terms, but for whom employment is the difference between life's having meaning and no meaning. This is not just a matter of human concern for the individual. There may well be involved a choice for the rest of us between paying, as customers, a few cents an hour of that individual's wages (and getting the value of his productive potential) or, in the alternative, paying, as taxpayers, the full amount of his welfare upkeep (and getting nothing in return).

It is proper reminder, as part of a preface to policymaking regarding a question involving age, that while each of us is growing older as an individual we are growing

younger (at least for the present) as a whole population.

It is true, on the one hand, that the absolute number of older persons—and therefore the number of persons who may be the victims of age discrimination in employment—is growing rapidly.

There are today 22 million men and women between the ages of 45 and 55, almost 17 million between the ages of 55 and 65, and 18 million 65 and over.

These numbers are all significantly greater, both in absolute terms and as a proportion of the entire adult population, than was true 10 years ago, or 20, or 50.

By 1975, there will be almost 24 million men and women between 45 and 55, about 20 million between 55 and 65, and about 21 million 65 and over.

Because young persons go to work later than they used to, and more and more older women are going back to work, the number of workers age 45 and over continues to grow; and older workers will still make up more than a third of the work force in the years ahead.

So the problem area is increasing significantly.

At the same time, however, the median age of the population in the United States is going down.

Half of us are today under 29.

By 1975, half of us will be under 26.

What this mean is that a Nation which already worships the whole idea of youth must approach any problem involving older people with conscious realization of the special obligation a majority assumes with respect to "minority group" interests. This is, to be sure, one minority group in which we all seek, sometimes desperately, eventual membership. Discrimination against older workers remains, nevertheless, a problem which must be met by a majority who are not themselves adversely affected by it and may even be its temporary beneficiaries.

The discrimination older workers have most to fear, however, is not from any employer malice, or unthinking majority, but from the ruthless play of wholly impersonal forces—most of them part of what is properly, if sometimes too casually, called progress.

Over a sixth of the railroad engineers in the United States are 65 or older. But airline transport pilots must retire at 60. Astronauts are not hired after 35.

The same advancing science that is extending people's productive lives is contributing to putting lower age limits on employment.

This results partly, at least for the present, from the increase in educational requirements for many jobs, and from the fact that older workers today have less formal education, on the whole, than younger workers. Among male workers 45 to 54, nearly one-third of those who are white, and almost two-thirds of the nonwhite group, have not gone beyond the eighth grade. Among male workers 55 to 64, nearly half of the white group and more than three-quarters of the nonwhite group have not gone beyond the eighth grade. This is in sharp contrast to the education of young persons now entering the work force.

Any formal employment standard which requires, for example, a high school diploma will obviously work against the employment of many older workers—unfairly if, despite his limited schooling, an older worker's years of experience have given him the relevant equivalent of a high school education.

In 1964, about 3½ million workers 45 years old or older were involuntarily unemployed at one time or another. As the number of older workers increases, the problem of their job readjustment and unemployment will be compounded. The achievement of fuller employment opportunity in the economy as a whole will provide more jobs for older workers. At the same time, the pace of changing technology, changing jobs, changing educational requirements, and changing personnel practices increases the need for special efforts if older workers' employment prospects are to improve significantly.

The findings which follow in this report identify the extent to which there is evidence of age discrimination of various kinds, particularly arbitrary discrimination, as a factor in the unemployment of older workers.

The conclusions and recommendations suggest measures which can and should be taken to increase the economic and social well-being of the Nation and the satisfactions of life for millions of older American workers who will otherwise be the victims of discrimination in employment based on age.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my Washington Report, my weekly newsletter to my constituents, of March 25, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

THE ASSAULT UPON THE SOUTH

The massive assault upon the South, and in particular upon Alabama, was continued in Congress last week. It began with the Monday night address by the President to a joint session of Congress. Never before has a Chief Executive of the United States made such a concerted attack upon a sovereign State, its elected officials, and its people. The whole effort was designed to get enactment of the President's voting rights bill.

The President's demand that Congress pass his bill at once and without changing a line, was clearly out of order. Under the Constitution the Congress is the legislative body. The President is to administer the laws of the land and the functions of Government. He cannot demand or force Congress to pass certain bills and he has no right, under the Constitution, to demand that Congress take bills prepared by him without adequate study and debate.

If Congress is stampeded into passing legislation because the President is subject to pressure by street mobs, we will have taken a long step toward dictatorship.

The President's voting rights bill, H.R. 6400, is wrong. It is unconstitutional. It is not a bill to insure the rights of all citizens to vote. It is directed against six Southern States. Under the President's bill, these Southern States may not deny the right to vote to illiterates, felons or anyone for any reason, but other States may This startling admission was made by Attorney General Katzenbach in the first day's hearings before the House Judiciary Committee. Hearings, incidentally, which were started before Members of Congress could even get a copy of the bill.

To legislate in such an atmosphere of hysteria is irresponsible and without precedent. I am opposed to the President's bill. I have been working on a countermeasure with leaders of both the Republican and Democratic Parties. My suggested bill would remove any existing injustices in the application of voting laws, but it would protect the rights of the States to exercise their constitutional authority to determine voter qualifications.

ALABAMA DELEGATION DEFENDS OUR STATE

On Wednesday the entire Alabama delegation in the House took the floor in defense of our State and our people to answer some of the charges made by the President. I was more proud than ever on that day to be an Alabamian and a southerner.

In my own remarks I made an effort to present facts on voter registration of Negroes in Alabama to refute the President's televised statement that "the only way to break the barriers in the South is to have a white skin." Even the Washington Evening Star in a strong editorial pointed out that that statement by the President "was not a fact."

The fact is that 115,000 Negroes are registered and voting in Alabama. This figure represents more than 20 percent of the total vote cast in Alabama in the presidential election of 1960. Research to which I have had access and the facts I presented to the Members of the House show that the vast majority of qualified Negroes in Alabama are registered. Those who are not registered, for the most part, are ineligible because of convictions of felonies or by reason of illiteracy. To abolish literacy tests and to give the franchise to those who cannot read or write or comprehend, is to turn the government over to those who are not capable of governing. We have seen the result of this in countries where illiterates do have the vote and where there is constant turmoil and revolution.

COMMUNIST INFLUENCES AT WORK

During the past week I have made a number of statements in Congress and in the RECORD pointing out the Communist influences at work among the leadership of the demonstrations. Even such liberal writers as Rowland Evans and Robert Novak, in their column in the Washington Post, pointed out the leftwing influence of the leaders of the Selma demonstrations on Martin Luther King and in fomenting the violence which has occurred there. The President, himself, admitted to me, that Communists were active in the demonstrations, but said you cannot keep them out.

Maybe they cannot be kept out, but that is all the more reason why the President and Congress should not knuckle under to the mob rule they created.

BRIEFS OF THE WEEK

By a vote of 203 to 177 the House defeated a bill which would raise the salaries of Supreme Court Justices. I was proud to vote against it. One of the tragic parts of the President's appearance before Congress was to see the Justices of the Supreme Court applauding his demands for legislation. This is supposed to be an impartial body which must judge the constitutionality of legislation on its merits, but evidently they have already prejudged this bill.

Our current Government under the Johnson administration has been labeled the "Great Busted Society" by the nationally read columnist, Jenkin Lloyd Jones. Jones says the national debt is ignored, controlled inflation is called necessary, and the fact that every nation which has so ignored economic laws has gone busted is ignored. The last balanced budget was in the final fiscal year of the Eisenhower administration which produced a surplus of $1.2 billion. Since then we have had deficits of $3.8 billion, $6.3 billion, $6.2 billion, and $8.2 billion.