The Legion magazine story reminds us that John Hancock, who had inherited a great fortune and who already had a price of £500 on his head, signed the Declaration of Independence parchment in enormous letters, so, as he said, "His Majesty could now read his name without glasses and could now double the reward."

Benjamin Franklin said, as our history books tell us, "Indeed, we must all hang together. Otherwise, we shall most assuredly hang separately."

The signers knew what they risked. The penalty for treason was death by hanging.

Stephen Hopkins, of Rhode Island, was a man past 60 and signed with a shaking hand. But he snapped, "My hand trembles, but my heart does not."

These men were all human, and therefore fallible. Perhaps, as Charles Thomson once admitted, the new Nation was "wholly indebted to the agency of Providence for its successful issue." But I agree with the author of the story in the Legion magazine, "whether America was made by Providence or men, these 56, each in his own way, represented the genius of the American people then already making something new on this continent.

"Whatever else they did, they formalized what had been a brush-popping revolt and gave it life and meaning, and created a new nation, through one supreme act of courage."

Most of the 56 members of the Continental Congress who signed the Declaration of Independence were later called reluctant rebels. Most of them had not wanted trouble with the British Crown. But when they were caught up in it, they had willingly pledged their lives, their fortunes, and their sacred honor for the sake of their country.

It was no idle pledge. Of the 56 who signed that noble document, 9 died of wounds or hardships during the Revolutionary War.

Five were captured and imprisoned, in each case with brutal treatment.

Several lost wives, sons, or family. One lost his 13 children. All were, at one time or another, the victims of manhunts, and driven from their homes.

Twelve signers had their houses burned. Seventeen lost everything they had.

Not one defected or went back on his pledged word.

Their honor and the Nation they did so much to create are still intact.

But, as the author wrote in the Legion magazine, "freedom, on that first Fourth of July, came high."

ORDER FOR ADJOURNMENT TO MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of 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, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. Mr. President, am I correct in believing that, on the basis of the unanimous-consent agreement which the Senate entered into earlier this afternoon, the time limitation will start at the conclusion of the prayer after the opening of business on Monday next?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. I thank the Chair.

ADJOURNMENT UNTIL MONDAY

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate adjourn until Monday next at noon.

The motion was agreed to; and (at 3 o'clock and 17 minutes p.m.) the Senate, under the order previously entered, adjourned until Monday, September 13, 1965, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 10 (legislative day of September 8), 1965:

DEPARTMENT OF STATE

Raymond A. Hare, of West Virginia, a Foreign Service officer of the class of career ambassador, to be an Assistant Secretary of State.

Charles Frankel, of New York, to be an Assistant Secretary of State.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Dr. Gustav Ranis, of Connecticut, to be Assistant Administrator for Program Coordination, Agency for International Development.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Bernard Zagorin, of Virginia, to be U.S. Alternate Executive Director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed.

UNITED NATIONS

Charles W. Yost, of New York, to be the deputy representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and a deputy representative of the United States of America in the Security Council of the United Nations.

James Roosevelt, of California, to be the representative of the United States of America on the Economic and Social Council of the United Nations.

Mrs. Eugenie Anderson, of Minnesota, to be the representative of the United States of America on the Trusteeship Council of the United Nations.

WORLD HEALTH ORGANIZATION

Dr. James Watt, of the District of Columbia, to be the representative of the United States of America on the Executive Board of the World Health Organization.

DEPARTMENT OF STATE

John A. Gronouski, of Wisconsin, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Poland.

UNITED NATIONS

James M. Nabrit, Jr., of the District of Columbia, to be a Deputy Representative of the United States of America in the Security Council of the United Nations.

DEPARTMENT OF JUSTICE

Sidney O. Smith, Jr., of Georgia, to be U.S. district judge for the northern district of Georgia.

Richard E. Eagleton, of Illinois, to be U.S. attorney for the southern district of Illinois for the term of 4 years.

George M. Stuart, of Alabama, to be U.S. marshal for the southern district of Alabama for the term of 4 years.

SENATE

MONDAY, SEPTEMBER 13, 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:

Eternal God, in whose peace our restless spirits are quieted, from the flickering torches of our own understanding into Thy holy light, we would lift the difficult decisions of the public service which are focused within these walls.

In the brooding silence of this still moment may the open windows of faith flood our darkness with the radiance of the eternal, that in Thy sunshine's blaze this toiling day may brighter, fairer be.

We give Thee thanks for all interpreters of Thy mind who, with brush or pen, or winged words, bring even one more syllable of reality, one more gleam of the truth which makes men free. Clothe our failing flesh, we beseech Thee, with Thy renewing grace as now we bring our incompleteness to Thy completeness. Grant us the vision to meet and match the vast designs of this glorious and challenging day that we may keep step with the drumbeat of Thy truth which is marching on.

In the dear Redeemer's name we lift our prayer. Amen.

FOOD AND AGRICULTURE ACT OF 1965

The PRESIDENT pro tempore. Under the previous order, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of 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.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I yield myself 1 minute on the bill. I ask unanimous consent that the reading of the Journal of the proceedings of Friday, September 10, 1965, be dispensed with.

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on September 11, 1965, the President had approved and signed the act (S. 511) to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of William J. Porter, of Massachusetts, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to the Kingdom of Saudi Arabia, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

Mr. MANSFIELD. Mr. President, I yield myself 5 minutes on the bill. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The clerk will call the roll.

The Chief 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.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE NONGERMANE BUSINESS

Mr. MANSFIELD. Mr. President, in view of the fact that conditions covering the weather are affecting the return of some Senators to Washington, I ask unanimous consent that there be a brief period for the transaction of nongermane business.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

What time limitation does the Senator from Montana fix?

Mr. MANSFIELD. I yield 3 minutes to the Senator from Maryland, on the bill.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

AMENDMENT OF ADMINISTRATIVE EXPENSES ACT OF 1946, AS AMENDED

Mr. TYDINGS. Mr. President, I introduce, for proper reference, a bill to amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States.

The Federal Government is making an effort as never before to improve the quality of its civil servants by increasing the appeal of a career in the Government. The President, as is well known, has sought to attract to the Federal service the most valuable and capable people in the Nation, and to retain the qualified people already in the Federal service. The recent pay raises, designed to bring our Federal salary standards closer to those of the private sector of the economy, are another example of the efforts to upgrade our civil service. A third example is provided by the management intern program whose goal is to select and train promising individuals for high Government posts.

There are worthwhile steps toward a worthwhile goal. Our Federal Government must attract the most qualified personnel possible. The problems of today require no less.

In this era, an efficient government is a mobile government. The functions of the Federal Government are spread throughout the United States. Federal employees frequently must move so as to keep the performance of regional offices at the highest level.

Yet more and more Federal employees are reluctant to move, even with the incentives of pay grade increases. This is so because there is a definite, sizable gap between what it costs to move and the amount of that cost which is assumed by the Federal Government. John W. Macy, head of the Civil Service Commission, believes that this gap is the most important single factor in the reluctance of Government employees to move. Mr. President, we must eliminate that gap.

When a Federal employee is asked to move for the improved operation of the Government, he must make a difficult decision. If he has children, he must take them from their school to another, a move which rarely is pleasant for anyone concerned. If he has his own house, he must dispose of it. This always involves certain costs of selling, such as closing costs, and brokerage fees. It may also involve a loss of the employees' equity investment. To find a new home, he must make a househunting trip at his own expense.

When an employee moves, he must pay his family's living expenses while enroute from the old home to the new. If, by the time he is required to begin work in his new location, he has not found permanent lodgings, he must occupy temporary quarters, often at quite considerable expense—his own expense. If his new quarters are such that he cannot find room for all of his household goods, he must store much of his furniture—again at his own expense.

I do not think it fair to the employee or in the best interest of the Government to require him to bear these expenses himself. Almost all large businesses offer their employees generous moving allowances. If the Federal Government expects to compete with private industry for qualified personnel it must not lag behind industry in the consideration given to the moving expenses of its employees.

Nonetheless, we cannot repay Federal employees for the intangible and psychological costs of moving from their circle of friends, for the difficulties their children suffer when they move from one school to another, for the unpleasantness of tearing up their roots in the community. To absorb these social costs, we must depend upon the devotion of Federal employees to their Government.

But, Mr. President, we should do what we can to mitigate this financial burden upon employees who are required to relocate.

The Civil Service Commission has surveyed those employees who moved for the good of the Government in fiscal 1962. The conclusions cry for action. More than four out of five employees lost money on their moves, and the losses were significant. The average loss was $558. Approximately 17 percent of the movers lost more than $1,000. The average loss on closing costs for selling a home was $677. Needless to say Federal employees are generally not rich men.

Both the Civil Service Commission and the President are anxious to see the burden of moving lifted from the shoulders of the Government employee. I agree with them, and accordingly I am submitting this bill, based on Civil Service Commission recommendations, which will make our Federal service more equitable, more mobile, and more efficient.

Four major types of employee moving expenses are covered.

First, moving and storing household goods: The weight limit on goods which can be moved at Government expense will be raised from 7,000 to 11,000 pounds.

Employees who are assigned to locations where their quarters cannot accommodate their household goods would be reimbursed for storage costs for up to 3 years.

Second, travel: The bill would provide for payment of expenses of employees and their families, including meals, lodging, and transportation while en route to their new location. It would pay for a round-trip househunting trip for the employee and spouse to seek permanent quarters and for expenses of occupying temporary quarters for a reasonable length of time.

Third, real estate transactions: The bill would reimburse employees for the expenses of selling a residence or settling an unexpired lease in connection with the move. It would not—and I emphasize—it would not pay for losses on the sale of real estate incurred because of an actual decline in the selling price and reimbursement for brokerage fees on the sale of the residence could not exceed the amount generally charged in the area where it is located.

Fourth, miscellaneous: Employees would receive a flat allowance for miscellaneous expenses not otherwise covered. For employees without dependents, compensation would equal one week's basic compensation, and for those with dependents, the amount would equal 2 weeks' basic compensation.

It is important to note that the bill provides for reimbursement of moving expenses only if the employee agrees in writing to remain in the Government service for 12 months following his transfer.

The Civil Service Commission estimates that the Government-wide annual cost of the legislation will be about $22 million. In view of the increased efficiency this will bring to the Government, this will turn out to be a long-term saving of money. For both the good of the Federal Government and equitable treatment of civil servants, I urge that this bill be enacted into law. A companion bill, H.R. 10607, has already been introduced in the House by Representative ROSENTHAL.

Mr. President, I ask unanimous consent that this bill be laid on the table for 10 days to give my colleagues an opportunity to cosponsor. I also ask unanimous consent that the text of the bill be printed in the RECORD.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and held at the desk, as requested by the Senator from Maryland.

The bill (S. 2516) to amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States, introduced by Mr. TYDINGS, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 2516

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of section 1 of the Administrative Expenses Act of 1946 (60 Stat. 806, as amended; 5 U.S.C. 73b–1(a)), is amended by—

(1) striking the words "the Act of February 14, 1931" appearing in the first parentheses contained therein, and inserting in lieu thereof "section 4 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 837)";

(2) striking the word "seven" appearing in the second parentheses contained therein, and inserting in lieu thereof the word "eleven";

(3) striking out of the first proviso contained therein the words "the Subsistence Expense Act of 1926 (5 U.S.C. 828)" and inserting in lieu thereof the words "section 5 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 838)".

(b) Subsection (b) of section 1 of the Administrative Expenses Act of 1946 (60 Stat. 807, as amended; 5 U.S.C. 73b–1(b)), is amended by adding the following words immediately before the period at the end of the first sentence in the subsection ", except that payment of actual expenses may be made whenever, under regulations prescribed by the President, the head of the agency determines that such method of payment is more economical to the Government."

SEC. 2. The Administrative Expenses Act of 1946 (60 Stat. 806), as amended, is further amended by adding the following new sections:

"SEC. 23. Under such regulations as the President may prescribe and to the extent deemed necessary and appropriate, as provided therein, appropriations or other funds available to the departments for administrative expenses shall be available for the reimbursement of all or part of the following expenses of officers or employees for whom the Government pays expenses of travel and transportation under subsection (a) of section 1 of this Act:

"(1) The expenses of per diem allowance in lieu of the subsistence expenses of the immediate family of the officer or employee while enroute between his old and new official stations, not in excess of the maximum per diem rates prescribed in or pursuant to section 3 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 836).

"(2) The expenses of per diem allowance in lieu of subsistence of the officer or employee and his spouse, not in excess of the maximum per diem rates prescribed in the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 836), and the expenses of transportation to seek permanent residence quarters at a new official station when both the old and new stations are located within the continental United States, excluding Alaska, provided that such expenses may be allowed only for one round trip in connection with each change of station of the officer or employee.

"(3) The subsistence expenses of the officer or employee and his immediate family for a period of thirty days while occupying temporary quarters when the new official station is located within the United States (including the District of Columbia, its territories and possessions, the Commonwealth of Puerto Rico, and the Canal Zone: *Provided,* That the period of residence in temporary quarters may be extended for an additional thirty days when the officer or employee moves to or from Hawaii, Alaska, the territories and possessions, the Commonwealth of Puerto Rico, and the Canal Zone, except that reimbursement for subsistence expenses actually incurred may not exceed an amount determined from such average daily rates per person as may be prescribed in such regulations, but not in excess of the maximum per diem rates prescribed in or pursuant to section 3 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 836), for the localities in which the temporary quarters are located, for the first ten days of such period, two-thirds of such rates for the second ten days, and one-half for the balance of such period, including the additional thirty days.

"(4) The expenses of the sale of the residence (or the settlement of an unexpired lease) of the officer or employee at the old official station and purchase of a home at the new official station required to be paid by him when the old and new official stations are located within the United States (including the District of Columbia), its territories and possessions, the Commonwealth of Puerto Rico, and the Canal Zone, but reimbursement for brokerage fees on the sale of the residence shall not exceed such fees as are customarily charged in the locality where the residence is located and no reimbursement shall be made for losses on the sale of the residence. This provision applies regardless of whether the title to the residence or the unexpired lease is in the name of the officer or employee alone, in the joint names of the officer or employee and a member of his immediate family, or in the name of a member of his immediate family alone.

"SEC. 24. Under such regulations as the President may prescribe and to the extent deemed necessary and appropriate, as provided therein, and notwithstanding other reimbursement authorized under this Act, an officer or employee who is reimbursed under section 1(a) or section 23 of this Act shall, if he has an immediate family, receive an amount equal to two weeks' basic compensation, or, if he does not have an immediate family, an amount equal to one week's basic compensation: *Provided,* That such amounts shall not exceed amounts determined from the maximum rate of grade GS–13 in the General Schedule of the Classification Act of 1949, as amended.

"SEC. 25. Under such regulations as the President may prescribe—

"(a) Whenever any civilian officer or employee (including any new appointee in accordance with section 7(b) of this Act, as amended) is assigned to a permanent duty station at an isolated location in the continental United States, excluding Alaska, to which he cannot take or at which he is unable to use his household goods and personal effects because of the absence of residence quarters at such location, nontemporary storage expenses or storage at Government expense in Government-owned facilities (including related transportation and other expenses), whichever is more economical, may be allowed such officer or employee under regulations issued by the head of the Executive Department or agency concerned. In no instance shall the weight of the property stored under this subsection, together with the weight transported under section 1 or section 7(b) of this Act, exceed the total maximum weight the officer or employee would be entitled to have moved, and the period of nontemporary storage shall not exceed three years.

"(b) This section does not authorize reimbursement to officers and employees traveling under orders issued more than sixty days prior to the effective date of this section.

"SEC. 26. Under such regulations as the President may prescribe and notwithstanding the provisions of the fourth proviso of section 1(a) of this Act, in transfers between departments for reasons of reduction in force or transfer of function, expenses authorized under section 1, subsections (a) and (b) and subsections (e) and (f) other than expenses authorized in connection with transfers to foreign countries, and under sections 23 and 24 of this Act may be paid in whole or in part by the department from which the officer or employee is transferred or by the department to which he is transferred, as may be agreed upon by the heads of the departments concerned.

"SEC. 27. Under such regulations as the President may prescribe, a former officer or employee separated by reason of reduction in force or transfer of function who is reemployed within six months of the date of such separation by a nontemporary appointment at a different geographical location from that where such separation occurred may be allowed and paid the expenses authorized by section 1 of this Act, and may receive the benefits authorized by sections 23 and 24 of this Act, in the same manner as though he had been transferred to the location of reemployment from the location where separated in the interest of the Government without a break in service.

"SEC. 28. Notwithstanding the provisions of subsections (a) and (b) of section 1, and of sections 23, 24, 25, and 27 of this Act, the travel and transportation expenses, including storage of household goods and personal effects, and other relocation allowances shall not be allowed thereunder when a civilian officer or employee is transferred within the continental United States, excluding Alaska, unless and until such officer or employee shall agree in writing to remain in the Government service for twelve months following

his transfer, unless separated for reasons beyond his control and acceptable to the department or agency concerned. In case of violation of such agreement, any moneys expended by the United States under said sections of this Act on account of such officer or employee shall be recoverable from him as a debt due the United States."

SEC. 3. Regulations under this Act shall be prescribed within ninety days following the date of enactment but shall be retroactive to such date.

Mr. MANSFIELD. Mr. President, I yield 3 minutes under the bill to the distinguished Senator from New York [Mr. JAVITS].

NEO-NAZISM 20 YEARS AFTER HITLER

Mr. JAVITS. Mr. President, 20 years have now passed since Hitler's suicide and Mussolini's sordid end. Yet their ghosts continue to roam the world and even haunt us in the flesh in the persons of literally hundreds of neo-Nazi and other extremist groups whose racist ideas and political themes recurrently gain currency and apparent respectability. A whole new generation has grown up since the end of World War II—a generation which never knew Hitler and has no personal experience of the horror and holocaust that Nazi ideas brought to Europe and the world. And if, as has been said, each generation must win its freedom anew, then it is not untimely to remind this new generation—as well as the old, again that those who claim the tragic tradition of the murder of liberty and of freemen are still abroad in the world and are still circulating their poisons of hate and fear and violence with strong determination and sometimes widening acceptability in many areas of the world.

Mr. President, the American Jewish Committee has just published an extensive report on neo-Nazi activities in Europe on the 20th anniversary of the end of Hitlerism. It concludes that the hundreds of neo-Nazi parties and splinter groups organized throughout Europe in the late 1940's and early 1950's may have lost members and strength during the past decade but their racist ideas and political views recently have been gaining "currency and prestige."

The report describes two major anti-Semitic campaigns carried on by these groups—one undercover and one open. The former, often in alliance with Arab league groups, seeks to prevent adoption by the Ecumenical Council of any declaration making clear the opposition of the Catholic Church to anti-Semitism and repudiating charges of Jewish responsibility for the death of Jesus. The open campaign is a constant drive to establish that the Nazi murder of 6 million Jews is only "a fable," and that the casualties are exaggerated.

Mr. President, this report deserves wide currency and careful reading by all who love liberty and who understand that its price is eternal vigilance—against the forces of extremism, whether of the left or of the right, that preach hate instead of love, violence instead of justice, fear instead of courage, and war instead of peace. The American Jewish Committee, its author, has pioneered in the protection of Jewish and other rights throughout the world and has done many other illuminating studies of human relations and extremism. I ask unanimous consent that the report entitled "Neo-Nazism Twenty Years After Hitler" be printed in the RECORD.

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

NEO-NAZISM 20 YEARS AFTER HITLER

Twenty years after Hitler's suicide in a Berlin bunker and Mussolini's ignoble end, a spate of smallfry Fuehrers and would-be Duces still strive to promote new European orders patterned on the Nazi and Fascist regimes.

In Austria and Germany, Belgium and Scandinavia, Italy, France and Great Britain, dozens of leaders avidly seek primacy among the scores of neo-Nazi and neo-Fascist organizations, cultural societies, bunds, fronts, and internationals that have sprung up, splintered, merged, dissolved, disappeared and reemerged in postwar Europe since World War II. Some have achieved international notoriety; others are virtually unknown. Some brazenly sport brown shirts and swastikas; others are more subtle. Some openly spout their racist and totalitarian ideologies; others seek the cover of respectability. Almost all prophesy disaster—tragedy for their nation or ethnic group, or submergence of the white race by black or yellow hordes—unless their programs are adopted.

Perhaps their most significant accomplishment has been the ability of these groups to survive. Despite the revulsion against them in once-occupied lands, the continuing search for war criminals and bans on antidemocratic organizations in Germany, Austria, and Italy, these elements have managed to continue functioning and to develop ways of cooperating with one another.

THE NEO-NAZI WORLD SURVIVES

In West Germany, according to a Government report, there were 119 Nazi-like organizations at the end of 1964.[1] In Austria, over 40 such groups were formed in the late 1950's, shuffling and reshuffling members like a deck of cards.[2] A Belgian journalist, Michel Géoris-Reitshof, described more than a dozen extreme rightist groups in that country as worthy of attention. And in Great Britain, Maurice Orbach, General Secretary of the Trades Advisory Council, wrote late in 1963: "It is estimated that about 175 such organizations (which exist primarily to seek power or publicity by the dissemination of racial and religious hatred) have been started since 1945, though it is doubtful whether a score of them exists today."[3]

By most observable criteria, neo-Nazi elements, for all their febrile activity, clearly have been checked and circumscribed in Western Europe since their first postwar spurt in the late 1940's and early 1950's. The major right-radical political parties—such as the Italian Movimento Sociale, the Austrian Freedom Party and the German Reichspartei—are stagnant or shrinking. Indeed, recent elections in several countries indicate that as the older generation dies off the right-radical parties are having trouble finding replacements.

Nor have the various neo-Nazi splinter groups and "internationals" achieved any real role in postwar Europe, for all the front-page attention accorded the recent swastika smearings and cemetery desecrations in Bamberg, Coblenz, and elsewhere.

The current right-radical challenge lies not so much in their political parties and internationals as in the realm of propaganda and ideas. The neo-Nazis predict and hope for economic and political disaster. Their goal is to maintain themselves until their antidemocratic and nihilistic ideas again catch fire, and they are catapulted back into power. "What are our chances?" asked veteran British blackshirt leader Oswald Mosley in his National European last September. "None, until crisis." But that crisis, he went on, "is certain."

While the early organizational neo-Nazi thrust has been blocked by European prosperity and the establishment of working democratic regimes in Germany and Italy, there remain a number of dangerous factors. These include:

Support for anti-Semitic and right-radical groups in Europe and South America by the Nasser government and the Arab League. Striking evidence of this appeared recently with the exposure of a neo-Nazi underground in Sweden.

The attraction to right-wing ideologies of large numbers of university students, a key element in society.

The increased currency and prestige of certain racist and political themes which, in the early postwar period, were advanced almost solely by neo-Nazis. While crude Nazi racist theories are still anathema, emphasis on ethnic or national personality is much more widespread in Europe today than a few years ago. The demand that the United States withdraw from Europe, voiced primarily by rightist fringe groups a few years ago, has become part of legitimate controversy. Similarly, aid to underdeveloped countries and support of the United Nations, both under longstanding attack by right-radical groups, are now open to more general questioning.

Although these developments are apparently a reflection of currents and changes on the European scene rather than a response to extremist appeals, they are nevertheless deeply troubling. As Political Scientist Peter G. J. Pulzer points out, the anti-Semitic movements which matured in Germany and Austria after 1918 originated in a period of hibernation and underground survival from 1867 to 1914 when, side by side with the lack of outward success, anti-Semitism penetrated political thinking and undermined the acceptance of liberal values.[4]

COOPERATION ON MANY LEVELS

Immediately after the defeat of the Third Reich, a number of top war criminals, including Adolph Eichmann and Dr. Joseph Mengele, the physician-murderer of Auschwitz, eluded Allied forces with a smoothness that indicated an efficient underground. Later, such well-known figures as SS Col. Otto Skorzeny and German war ace Hans Rudel crossed frontiers without hindrance while being sought by German and Austrian authorities. And the recent escapes of men charged with neo-Nazi or anti-Semitic activity from German prisons to the Near East demonstrate this network is still operating.

Cooperation is more open in other spheres. When one neo-Nazi publication denounces aid to underdeveloped countries, the others soon follow suit. A subscriber to a right-radical Hungarian-emigrant sheet in Austria may find himself on the mailing list of a like-minded group in Australia. French, English, and German scholars, returning home from a conference in Cologne on Christian and Jewish philosophy in the Middle Ages, found in their mail an anti-

[1] Erfahrungen aus der Beobachtung und Abwehr rechtsradikaler und antisemitischer Tendenzen im Jahre 1964. Der Bundesminister des Innern, Bonn, February 1965.

[2] Forum (magazine of the Congress for Cultural Freedom, Vienna), February 1960.

[3] Anti-Semitism in Great Britain. Views (London), number 3, Autumn-Winter 1963.

[4] "The Rise of Political Anti-Semitism in Germany and Austria," by Peter G. J. Pulzer. New York: Wiley, 1964.

Semitic booklet written by a well-known American rabble-rouser. London neo-Nazis carried coals to Newcastle last summer, sending leaflets with swastikas and Nazi slogans to Frankfurt and Munich. In Spain, a rash of anti-Semitic literature appeared recently, at a time when the Government was taking significant steps toward improving the status of the small Jewish community.

Extremists also have been quick to take advantage of local turmoil. British neo-Nazis capitalize on resentment against the immigration of colored peoples from the West Indies, Pakistan, and other Commonwealth areas. Austrian extremists have engaged in sabotage in the Alto Adige region of Italy, to support the claims of the German-speaking minority. During the doctors' strike in Belgium a year ago, local neo-Fascists not only hailed the physicians as "defenders against state socialism" but also infiltrated their councils to goad them to greater intransigence. Pierre Poujade's tax protest movement in France was seized upon by rightwing ideologists, as was the 7-year French struggle to retain Algeria.

NEW TIMES, NEW HATREDS

Although anti-Semitism is usually the touchstone for authoritarian and totalitarian movements, the Jew is rarely an open target for European right-radical groups today. Publicly to attack Jews, as Jews, is still to put oneself outside the pale in a Europe where, for a quarter of a century, Jews have been the arch-symbol of the horrors Hitler visited on the entire continent. Moreover, the deliberations of the Ecumenical Council have thrown into sharp focus certain theological roots of anti-Semitism, and spurred efforts to improve Christian-Jewish relations.

In most European countries, Jews make poor targets for another reason: there are too few of them. France, with the largest Jewish population in Western Europe, has an estimated 600,000 just over 1 percent, scattered throughout the country. Great Britain has about 500,000 Jews. Then the numbers fall sharply: about 40,000 in Belgium, somewhat fewer in Italy, 35,000 in Western Germany, 25,000 in Holland, the same in Scandinavia. Most are completely integrated and hardly visible as Jews. With few exceptions, Jewish quarters no longer exist. Thus, while rabble-rousers attack cosmopolitan capitalism or the Jewish international, they seldom find serious everyday frictions to exploit.

Other minorities now draw the fire once directed against Europe's Jews. The present labor shortage and booming economy have brought Algerian Moslems and black Africans to French factories, and Spanish maids to French kitchens. Colored Commonwealth peoples have been flowing into Great Britain. Geneva, the city of Calvin, has more Catholics than Protestants because of the influx of workers from Latin lands. Italians make up 17 percent of the Swiss population, dig in Belgian mining pits and wait on tables in Germany. Having reabsorbed its own 11 million refugees, Germany has also brought in tens of thousands of workers from Eastern Europe, as well as large numbers of Greeks, Turks, and Moroccans on labor contracts.

These changes have resulted in a definite increase in xenophobia and race prejudice. The newcomers are characterized as "dirty," "brutal," "impolite" and, above all, "not like us." They are accused of making entire areas unfit for habitation and are blamed for increases in crime.

For the time being, the racists find the immigrants a more profitable target than the Jews—and occasionally even invite Jews to join in "defense of the West" against the colored peoples. More often, however, an attack on Jews is gratuitously added to a primary racist thrust. Thus Europe Action, the French right-radical monthly denounced the American "Jewish bourgeoisie" for helping Negro organizations, and blasted American Jewish Committee President Morris B. Abram for proposing an international agreement that would outlaw all groups refusing the mixture of communities.[5]

In politics, too, other hates have higher priority. In France, the radical right now has one major "enemy," President Charles de Gaulle. Yet certain of the General's nationalist stances, if proposed by anyone else, would win rightist approval. In Italy, the targets are mainly the government, Pope John XXIII's spirit of aggiornamento and the opening to the left in national politics.

IMPACT OF ISRAEL AND NASSER

The political questions that do affect European Jews revolve mainly around Israel and the Arab League.

The Arab effort to boycott firms doing business with Israel is an issue in every European country, whether it comes to the surface or not. Private or quasi-governmental acquiescence in the boycott means, among other things, that the Arab League has the power to demand the dismissal of Jews from their jobs.

The attitude of the extremist press toward Israel is mixed. Germany's major rightist newspaper, the Deutsche National Zeitung und Soldaten Zeitung (NZ), consistently supports Nasser and the Arab League. Its pattern of response to a number of issues and its persistent anti-Israel campaign reflect an underlying anti-Semitism. In contrast, the French right-wing weekly, Rivarol, deplored Bonn's halt in arms shipments to Israel, pointing out that Egypt serves Soviet interests while Israel "defends the Occidental cause." The Italian neo-Facist publication, Borghese, took a similar line, arguing that Bonn's decision could only aid the Communists.

To counteract pro-Israel sentiment, Egypt's Nasser and the Arab League have been cooperating with neo-Nazi movements in many European countries. According to the International Union of Resistance and Deportation (UIRD), which maintains a watch on neo-Nazi groups, Dr. Hassan Fakoussa, the Arab League representative in Bonn, received 23 million marks in 1960 for the double purpose of aiding the FLN in Algeria and supporting neo-Nazi movements in Germany in their campaigns against Jews and Israel. UIRD also reports that Gerhard Frey, editor of NZ, was promised financial help from Nasser when they met in 1964; and that Wilhelm Landig, editor of the anti-Semitic Europa Korrespondenz in Austria, also receives support from Nasser.

In 1962, British papers reported an agreement between an Egyptian military attaché in London, Colonel Shazly, and British Nazis, Colin Jordan and John Tyndall, to distribute some 15,000 pounds worth of anti-Semitic materials.

In May 1965, Swedish authorities cracked down on an antigovernment group conducting an espionage network to supply the United Arab Republic with information about the Israel Embassy and Swedish Jewish organizations and personalities. The newspaper, Expressen, whose revelations led to government action, carried a transcript of a tape recording between the so-called fuehrer of the neo-Nazi group, Bjoern Lundahl, and a representative of the United Arab Republic, together with a photostat of Lundahl's membership card in the Ku Klux Klan.

TWO ANTI-SEMITIC CAMPAIGNS

During the last few years, Europe's neo-Nazis have concentrated on two major propaganda campaigns, one open, the other covert.

The first drive seeks to minimize the number of Jews murdered by the Hitler regime by insisting that the figure of 6 million Jewish dead is only a fable. Jewish losses for all reasons, it is argued in numerous articles and leaflets, totaled just over 1 million. "By ceaselessly invoking this figure of 6 million of victims," declares France's Rivarol, "they [the Jews] strive to maintain a guilt complex among Germans, so as to profit financially."

For scientific proof, neo-Nazis depend mainly on the writings of Paul Rassinier, a former Socialist deputy later expelled from the party. Himself a camp internee, Rassinier is the author of "Ulysses Betrayed by His Own," published by Henri Coston, a notorious French anti-Semite.

Besides the campaign to blot out the Jewish dead, a far more insidious drive has been waged to prevent the Ecumenical Council of the Catholic Church from adopting a proposed declaration eliminating the centuries-old deicide canard against the Jews.

In 1962, during the Council's first session, each of the 2,300 church fathers assembled in Rome found in his personal box a privately printed, 764-page Italian book entitled "Complotto Contro la Chiesa" ("The Plot Against the Church"), by Maurice Pinay, a pseudonym. A lengthy rehash of the anti-Semitic libels in the so-called Protocols of the Elders of Zion, this was a clumsy attempt to develop resistance to any Council statement concerning Jews. Though its very crudeness lessened its effectiveness, the volume was privately reprinted in Spain in the German language, apparently without government authorization, and sent to Austria and Germany. The distribution evoked a Bonn Government protest to Madrid.

Three more anonymous anti-Jewish pamphlets have appeared since the first Council session, one claiming justification in theology for the deicide charge, the others asserting that Cardinal Bea, chief of the secretariat for Christian unity, is of Jewish origin, and that the entire secretariat has been infiltrated by Jews.

At its last session, the Ecumenical Council adopted in principle a declaration rejecting the deicide accusation against Jews past and present, and enjoining teachers and preachers to spurn ideas that might foster hostility against Jews. Since then, intensive meetings of rightist groups have taken place on this subject in Italy, France, Spain, and Germany. Undoubtedly, new propaganda pieces will be issued in the months ahead.

The Arab League and the Nassar government are known to be exerting strong political pressures to prevent the declaration's final adoption. There are also reports that European businessmen are being asked to use their influence against the declaration, on the ground that it would hamper trade with the Arab world.

THE INTERNATIONALS

Although informal cooperation goes on among right-radical groups in different countries, personal jealousies, overweening egos, and differences about strategy and tactics have thwarted all endeavors to create a single international. Thus, while American neo-Nazi George Rockwell and British neo-Nazi Colin Jordan may lay claim to the title of "fuehrer" of a World Union of National Socialists, there is no evidence that England's Oswald Mosley, Jean Thiriart or Belgium's Jeune Europe, Sweden's neo-Nazi theoretician Per Engdahl or others of their ilk pay any attention to these claims.

The first move to set up an international took place in May 1951, at Malmö, Sweden, following a preliminary 1950 gathering in Rome, where the Duce's oldest daughter, Anna Maria Mussolini, was a featured speaker. Initiator of the 1951 meeting was Per Engdahl, a 20-year veteran of totalitarian-oriented movements, and head of the New Movement of the Swedish Opposition.

Both the time and the place seemed propitious. Since Sweden had never been occupied by the Germans it had no legislation barring neo-Nazi activities. Nor was there any intense revulsion against those

[5] "U.S.A.—The National Movement," by Fabrice Laroche. Europe Action, June 1964.

who had espoused the Nazi cause. The 30-odd neo-Nazis from 14 lands meeting in the pleasant little city across the strait from Copenhagen were also encouraged by signs of a fairly strong, well-directed neo-Nazi party emerging in West Germany, the significant number of votes polled by Italy's Movimento Sociale Italiano (MSI) and the fact that Petainists in France were reasserting themselves.

Out of the Malmo Conference came the European Social Movement, with plans for a secretariat in Trieste, a press service and youth affiliates. But some participants soon decided that the new organization was not sufficiently anti-Semitic or activist, and the ESM was split. In 1952 the European Liaison Office was launched in Lausanne by Gaston Amaudruz of Switzerland and Charles Luca of France.

In 1953, in an attempt to heal the rift, the European People's Movement was founded in Paris to unite all forces fighting to save Christian civilization from Judaism, communism and freemasonry. This effort also failed. In Austria in 1957, another merger was launched under the aegis of the Social Organic Movement of Europe (Sorbe), but Austrian authorities clamped down, and the more extreme elements founded still another group, the European New Order—actually the European Liaison Office under another name.

More recently, new competition has entered the field. In Scotland a Northern League was formed in 1958 to preserve the ethnic and cultural heritage of the North European peoples. In Belgium, the neo-Fascist Jeune Nation sought international status and established itself as Jeune Europe. The Rockwell-Jordan combination, the World Union of International Socialists, first emerged in 1962. The latest body with international pretensions is Paris-based Europe Action, which operates primarily as an information and ideological clearinghouse.

TACTICS AND IDEOLOGIES

Since the Malmo meeting, two major approaches have been evident among neo-Nazi ideologists. One group considers it essential to play the parliamentary game and not frighten the public. Its leaders argue that they must first attract a following under cover of vague, general nationalist slogans and later propose concrete rightist programs. The philosophical and scientific bases of its ultranationalist ideology are advanced in intellectual terms, in magazines such as Nation Europa, published by former SS Gen. Arthur Ehrhardt in Coburg, West Germany, and Défense de l'Occident, the French monthly of Maurice Bardèche.

The other camp sneers at appeals to the masses and favors the creation of an elite which can take advantage of revolutionary situations. It considers street incidents, swastika smearings, and raids more effective than polite parliamentary maneuverings and stresses a strong racist approach. Vitriolic articles in Belgium's Révolution Européene and Gored Oredsson's Nordisk Kamp in Sweden, and leaflets outlining techniques for street fighting and revolutionary takeover express this element's philosophy.

The European social movement with its relatively moderate outlook has managed to survive all splits and probably remains the most important of the "internationals," with sections or contacts in a dozen countries. But it represents an older neo-Nazi generation. Per Engdahl is now 55 and nearly blind. Maurice Bardèche, at 63, is ever busy and looked up to by other authoritarians and right radicals, but he is adviser rather than leader.

The initiative today lies increasingly with younger men, such as Colin Jordan and Europe Action's Dominique Venner. Having no defeat to live down, they reject what they call an artificially created guilt complex about war crimes and seek to capitalize on what they view as youth's tendency to boredom and nihilism.

Attacks on the United States have been a constant component of neo-Nazi literature: "All mistakes since 1945 are due to the pseudodemocratic policies of Roosevelt and his advisers, who drove their country into a war that had nothing to do with U.S. interests." Rightists also scored the Yalta settlement as the division of Europe by non-European powers. A brief break in this persistent anti-Americanism came with the nomination of Barry Goldwater for President by the U.S. Republican Party. Even after Goldwater's defeat, Europe's rightwing felt deeply encouraged by what was construed as an impressive display of American rightist strength.

Rightwing ideologies seem to have a special appeal for one vital and vocal group—the university students. The tendency is strongest in Austria. The Ring Freiheitlicher Studenten, associated with the rightwing Freedom Party, had polled as much as one-third of the vote in student-government elections. In March 1965, rightwing students clashed in the streets with those demonstrating for the dismissal of a Viennese professor, Taras Borodajkewycz, who boasted of his prewar Nazi Party membership and made anti-Semitic statements.

In the last university student elections in Rome, groups affiliated with the neo-Fascist MSI Party won 13 seats of a total of 59. Traditional rightwing student organizations, some quite militant, also continue to exist in France.

THE RIGHT-RADICAL POLITICAL PARTIES

Although the ultimate goal of the internationals is to develop a solid base for political operation, they have thus far failed to involve the major rightist parties of Europe in any direct affiliation, despite cross-membership of individuals and attempts at amalgamation.

Where are these rightist parties to be found, and how have they fared in the past two decades? As might be expected, the most prominent are in the former homelands of totalitarianism—Italy, Germany, and Austria.

Italy: The major political voice of Italy's rightist forces is the Movimento Sociale Italiano (MSI).

In December 1964, when Guiseppe Saragat was finally chosen President of Italy after 20 inconclusive parliamentary ballots, the MSI interrupted the voting with catcalls and boos. Its members sat on their hands during Mr. Saragat's acceptance speech. This petulant behavior stemmed less from the MSI's rage at the election of a candidate of the center-left than from realization that it had failed to transform itself into a respectable political party.

Since the end of World War II, two major forces have confronted each other in Italy. The Italian Communist Party, more intelligent and less dogmatic than most, is independent of the Kremlin and thus able to present itself as a homebred Italian phenomenon. The governing Christian Democratic Party contains many disparate tendencies drawn together by fear of Communist gains. The MSI hoped to use its own virulent anticommunism and its ability to supply crucial votes during parliamentary crises to force its way into a governing coalition.

Until 1960, whenever parliamentary balloting was close, one Italian premier after another declared that he would resign rather than seek MSI votes to stay in office or win passage of disputed bills. But in July 1960, Premier Fernando Tambroni, a Christian Democrat, indicated he was ready to do business with the MSI. The marriage of convenience might have taken place, initiating a new trend in Italian political life, had not the overconfident MSI decided to hold its annual congress that year in Genoa—a stronghold of the Italian resistance movement, whose population had suffered greatly in the war. Outraged public opinion and anti-MSI demonstrations forced cancellation of the congress and toppled Tambroni out of office.

In actual numbers, the MSI has been stagnating for the past decade. To win 1,600,000 votes (about 5 percent of the electorate) and 29 parliamentary seats in the 1953 general elections was a resounding achievement; to poll 1,550,000 votes and 27 seats 10 years later was, in effect, a defeat. In 1951, the MSI chalked up outstanding gains in Sicily, a semiautonomous region. Its 11 strategic seats made it the third largest party on the island. Today it holds seven seats and ranks fifth among Sicilian parties.

MSI ideology is a chaotic catchall with at least three different views on how extreme the party should be. In the early years, control was vested in men like Giorgio Almirante, editor of the Mussolini-regime paper, Defense of the Race, and Prince Valerio Borghese, commander of Mussolini's 10th Legion and a supporter of the Salo Republic, the puppet state formed at Hitler's instigation after Italy's surrender to the Allies. The party's founders adopted as guidelines what they called the revolutionary socialist-fascism of 1919.

Another group, led by MSI's present Secretary General, Arturo Michelini, believed that talk of socialism, even of a Fascist kind, would hurt the party. Today the MSI concentrates on anti-Bolshevism and appeals to patriotism. It attacks even the Christian Democrats as Marxists, and criticizes all government attempts at social reform. At first the MSI sought to get into the Church's good graces; later it criticized Pope John XXIII for failing to wage a crusade against communism.

The party also harbors out-and-out extremists who take their inspiration from such men as Julius Evola, author of Mussolini's racial laws. This wing includes the activist organ Ordine Nuovo and the Giovane Italia student group, both of which boast of being good Nazis and Fascists.

Besides its failure to gain leverage in the parliament, the MSI is now confronted with a new challenge—an Italian-style Gaullism. De Gaulle is cited by the Italian right as a man of authority who knows how to maintain order. The neo-Fascist magazine, Borghese, hailed the general's book, "Sword's Edge," as "the political creed of the only chief of state who has rebelled against the Russian-American atomic dictatorship."

One would-be De Gaulle in Italy is Randolfo Pacciardi, a former resistance fighter who broke with the Italian Republican Party. He is now getting support from the FUAN, and Secolo XX, two of the most activist rightwing groups, as well as from former Republican colleagues and big-business circles in Italy.

Germany: Whatever its weaknesses, the MSI is at least a viable party. The most prominent German neo-Nazi Party, the Deutsche Reichspartei (DRP), polled less than 1 percent of the vote in the 1961 national elections and has continued to slip back in municipal and state contests.

In the early postwar years, Germany's neo-Nazis seemed to be making a significant political impact. The Deutsche Reichspartei began in 1946 as a splinter group seeking to build on small, traditional Lower Saxony political forces such as the century-old German Farmer's and People's Party. In 1949, three men with well-known Nazi records—Dr. Fritz Doris, then a Bundestag deputy, Dr. Gerhard Kruger, and Count Wolf von Westarp—broke away to create the Socialist Reich Party, whose star spokesman and rabble-rouser was Hitler's Maj. Gen. Otto Ernst Remer. Boasting an imitation storm

troop unit called the Reichsfront and a Reichsjugend organized on the lines of Hitler youth, the SRP sponsored Nazi-style rallies, appealing to farmers, civil servants, and other middle-class groups whose privileged social positions had vanished.

The climate in West Germany in the early 1950's seemed to augur further gains. SRP's membership consisted primarily of younger war veterans; its avowed goal was to organize the front generation, a potential of 3 million. At the same time, older veterans' groups were beginning to reform, in spite of laws prohibiting their existence, determined to recover their considerable prewar financial assets and to secure the rehabilitation of SS units. The 11 million German refugees from the east, though they had their own political party, the Bund der Heimatvertriebenen und Entrechteten (BHE), also seemed open to ultranationalist persuasion.

In the past decade, however, many political forces which loomed so large in the 1950's have been absorbed or circumscribed. In 1952, after some hemming and hawing, federal authorities outlawed the SRP as unconstitutional. The economic boom in Germany, coupled with government-sponsored benefits, brought about the rapid absorption of the refugees, and veteran groups such as the SS HIAG have proven circumspect, seeking personal benefits rather than political objectives.

West Germany has been moving steadily toward a two-party system. The requirement that a party must poll at least 5 percent of the popular vote to be represented in the Parliament has hampered not only such outright neo-Nazi parties as the DRP but all smaller parties, including the refugees' BHE and the ultraconservative Deutsche Partei. In 1957 these two groups merged to form the Gesamtdeutsche Block, but the new party polled less than 3 percent in 1961 (compared with a combined total of 9.1 percent in the 1953 elections), and will present no candidates in 1965.

The merger of several neo-Nazi parties last November into a new National Democratic German Party (NDP), with 798 officially registered members, underscores the weakness of all these groups. Head of the NDP is a 49-year-old Bremen cement manufacturer, Fritz Thelen of the Deutsche Partei, who managed to squeeze into the Bremen State Diet with 5 percent of the vote. Vice chairman are BHE member Wilhelm Guttman; Adolf von Thadden of the DRP—who made it clear from the outset that his party would not fuse with the others but would only provide DRP technical facilities—and former Free Democratic deputy Heinrich Fassbender, whose Deutschnationale Volkpartei supported Hitler.

The NDP propaganda line stresses order, the return of the lands in which Germans have grown up for centuries, and the need to protect peasants, workers and the middle class against foreign interests. Peace in Europe and the world, it is emphasized, depends on German unity. Though these sentiments are shared by wide segments of the population, nobody seriously expects the NDP to make an effective showing in the forthcoming national elections.

A brand of Gaullist-style nationalism in West Germany revolves around one of the country's colorful political figures, Franz Josef Strauss, leader of the Bavarian Christian Social Union. One-time Defense Minister and outstanding challenger to Ludwig Erhard for the Chancellorship, Strauss has more than once shown disregard for the democratic process while in office—most notably, his highhandedness in the so-called Spiegel affair[6] which forced his resignation from the Cabinet in 1962.

A leading advocate of West German cooperation with General de Gaulle at the expense of Great Britain and the United States, Strauss has taken ultranationalist positions hitherto avoided by responsible Bonn political figures. In the conflict with Nasser over military aid to Israel, however, Strauss took a vigorous pro-Israel position.

Strauss' main strength lies in the fact that CSU support is vital to the government to overcome the challenge of the Socialist Democratic Party. His present appeals to the right may be primarily an election gambit but could nevertheless lend respectability to its cause.

Austria: In Austria, the Freedom Party (formerly the League of Independents) manages to stay within the law, but its neo-Nazi inclinations are clearly evident. The party was founded by Anton Reinthaller, a Nazi as far back as 1923 and a Minister in the wartime Seyss-Inquart quisling regime. Its present head is Friedrich Peter, former Obersturmfuehrer of the infamous Waffen SS.

The Freedom Party's newspapers describe Austria as part of the German cultural and language group. When Adolf Eichmann was caught, these papers at first avoided all mention of the incident; later they complained that his trial was a new scheme to blacken Germany's name while non-German war criminals went unpunished. Nazi war crimes are shrugged off as aberrations, which Austrian Nazis knew nothing about.

Like the MSI in Italy, the League of Independents and the Freedom Party have dreamed of playing a balance-of-power role in the Austrian Parliament. But the People's Party and the Socialists, which run neck-and-neck in elections, have found it more profitable to rule the country in coalition. Both major parties have consistently ignored Austria's role during the Hitler period. Since, out of a population of 7 million, 537,000 Austrians were registered Nazis and 700,000 boys and girls belonged to Hitler youth movements, former Nazis became respectable again by universal consent within a few years after the war; consequently, they have felt little need for their own party.

In 1949 the Independents took 12 percent of the popular vote and 16 seats in the Parliament; this success has never been matched by the Freedom Party, which polled 315,000 votes and gained 8 seats in the 1962 national elections. In Vienna, in October 1964, the party received fewer than 60,000 of the million votes cast.

Other countries: Outside of Germany, Austria, and Italy, neo-Nazi parties, whatever their national political pretensions, are seldom able to elect candidates. England's Union of British Fascists (Oswald Mosley's party), for instance, had 30 candidates in the latest London municipal elections, in the districts most plagued by racial troubles. They failed to win a single seat. After a disastrous experience some years ago, Scandinavian neo-Nazi parties stopped presenting candidates. Holland, too, has no group worth mentioning.

Belgium's neo-Nazis are also without electoral strength, but wartime collaborators have found a home in the Volksunie, a Flemish Nationalist Party hostile to the present unified national regime and its institutions. Volksunie preaches greater federalism, calls for amnesty for collaborators, and seeks to exacerbate the split between the French-speaking Walloons and the Flemish segment of the country. During the war, the Germans treated the Flemish more favorably than the French-speaking Belgians, and the majority of Belgian collaborationists were Flemish. In 1949, the Flemish nationalists reorganized under the name of the Vlaamse Concentratie, which managed to garner 103,000, or 2 percent, of the national Belgian vote. In 1954, this group changed its name to the Volksunie and won a seat in the Parliament. In 1961, it polled 182,000 votes, electing 5 deputies and 2 senators; and in May 1965, Volksunie more than doubled its 1961 vote, electing 13 deputies and 4 senators.

A new nationalist party may be in the offing in France; the candidate is already at hand. Jean-Louis Tixier-Vignancourt is a 57-year-old, bronze-voiced lawyer whose background holds attractions for several rightist groups. He appeals to the Pétainists because he was an Assistant Minister in Pétain's Vichy government; to OAS elements for his legal defense of leaders such as Gen. Raoul Salan; and to the former colons of north Africa and the French repatriates from Algiers, Oran, Tunis, and Casablanca for having defended their cause. He is also acceptable to oldtime French ultras- and anti-Semites—the Royalists, Action Française, and the anti-Dreyfusards—and is favored by the "activist" neo-Fascist groups.

SPREADING RIGHTWING IDEAS

While the organized right has been shrinking and fumbling about for new formulations, the circulation of rightwing newspapers, magazines, and books has been growing.

A recent register of neo-Nazi militarist and nationalist literature in West Germany analyzes some 80 publishers, periodicals, and book clubs dealing in the works of former Nazis, ex-generals, and right radicals. Among the featured authors are the widow of Joachim von Ribbentrop, Panzer SS Gen. Kurt Meyer, Otto Skorzeny, and Oswald Mosley. Owners of the publishing houses include Helmut Suendermann, a former Goebbels deputy and head of the prolific Druffel Verlag publishing house, and Dr. Herbert Grabert, author of "Volk ohne Fuehrung," a book which was declared subversive by the Government in 1958.

One writer frequently quoted by the rightist propagandists is an American historian, Dr. David Hoggan, who taught at San Francisco State College and was a research fellow at the Hoover Institute. His 898-page book, "The Enforced War," casts the British as the villains who caused World War II, and Hitler as their victim. Despite a price of $12 per copy, his book reached the national nonfiction bestseller list in Germany, where it is now in its fifth printing. It is also scheduled for publication in France.

The top right-radical weekly paper in Germany is the Deutsche National Zeitung und Soldaten Zeitung (NZ), published by 32-year-old Gerhard Frey, who shows great imagination in handling hackneyed Nazi themes. With emotional appeal, racy language, and innuendo, NZ addresses itself to latent German frustrations and resentments. It calls for return of Germany's lost lands, labels the wartime bombings of Dresden and Hiroshima as Allied war crimes, and repeats Hoggan's thesis of British war responsibility.

A GROWING CHORUS

In France, as in Germany, the rightwing's most notable achievement has been the growth of its press and publications. In March 1964, several French ultra groups—Poujade's Fraterité Francaise, Colonel Trinquier's Association for Study of Reform of the State, Europe Action, and the Center of

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[6] When the editors of Germany's gadfly weekly Der Spiegel wrote that military maneuvers had proven the armed forces unready for combat. Strauss ordered them arrested for treason. Without informing the Minister of Justice he requested the Spanish police to pick up one editor vacationing there. These tactics, so reminiscent of Nazi days, aroused a storm of protest. Strauss at first denied his actions, later admitted them. To quiet criticism, Chancellor Adenauer dropped Strauss from the Cabinet.

Social Studies—attempted to set up a liaison office. The effort failed because the only point of unity was mutual hatred of De Gaulle. An extreme rightist literary group, the Society of the Friends of Edouard Drumond, formed late in 1963, seems destined for greater durability. The group includes virtually every important ultranationalist French writer, among them Maurice Bardéche; Xavier Vallat, former Commissioner for Jewish Affairs under the Vichy regime and editor of Aspects de la France; editor Dominique Venner of Europe Action; Pierre Dominique of Rivarol; and publisher Henri Coston.

France has no outstanding rightwing weekly, such as the NZ in Germany, and the veteran Rivarol and Aspects de la France have dropped slightly in circulation, with a current readership of about 42,000 and 23,000 respectively. But two new and successful publications have appeared since 1963: Europe Action, a monthly magazine with a circulation of about 25,000 in France and Germany which, in addition to its regular publication, issues weekly newsletters and special booklets; and Cahiers Universitaires, a university-student publication of professional caliber. The 3-year-old popular weekly, Minute, with a circulation of about 150,000, often voices rightwing themes.

Rightwing heroes are getting a greater play than at any time during the past two decades. With the 50th anniversary of the start of World War I in 1964, articles about Marshal Pétain, hero of Verdun and later head of the Nazi-controlled Vichy Government, sprouted everywhere. The campaign to transfer his remains to the French military cemetery at Drouamont gained new intensity, and his portrait was featured on the covers of record albums and the front pages of many major weeklies.

An impressive number of rightwing books were published in France in 1963 and 1964, including the notebooks of Charles Maurras, intellectual mentor for many rightists. More than a dozen current record albums glorify French collaborators, the OAS, Salan, and Céline, and revive the songs of the Spanish Falangists and the old German and Nazi armies. One record, quite popular among students, interlards excerpts from speeches by Hitler, Goering, and other Nazi spokesmen among Nazi and German war songs; the blurb on the jacket stresses the fact that Hitler came to power through democratic elections. Jean Marie de Pen, a former Poujade aide, and two Vichy regime collaborators control a lucrative record company that produces these novelty items. The Librairie de L'Amitié (Friendship Library) in Paris is a busy distribution center for such material.

This renewed interest in World Wars I and II is warmly welcomed by all the right-radical groups, for it offers them another opportunity to impress the youth and to argue for a rewriting of history.

CONCLUSION

On the surface, the status of neonazism two decades after Hitler's defeat seems to offer its adherents scant encouragement. The number of activists appears to be decreasing, the seasoned leaders are fading, and no unified international movement is in sight.

On the other hand, the themes, slogans, and pseudoscientific arguments of the radical right seem to exert a potent attraction for young people, especially the intellectuals. The rising popularity of publications and recordings ennobling Nazis and nazism could indicate a growing receptivity to their basic idealogy.

A new and serious element is the Arab League's secret aid to various groupings of neo-Nazis. Arab resources may well determine the future of many now-obscure conspirators—and their intended victims.

Some observers believe that the neo-Nazis and right radicals are currently in a period of hibernation from which they will one day emerge in force. Others doubt that great numbers of supporters can ever again be rallied to such a cause. There is general agreement, however, that if the relatively stable climate of present-day Europe should be disturbed by social, economic, or political crisis, extremist groups would gain considerably in strength and influence.

Mr. MANSFIELD. Mr. President, I yield, under the bill, such time as the Senator from Rhode Island [Mr. PELL] may require.

SUPERVISION OVER CENTRAL INTELLIGENCE AGENCY

Mr. PELL. Mr. President, I have always been of the belief that some sort of closer supervision should be exercised over the Central Intelligence Agency than is presently the case. For this reason I have cosponsored bills calling for so-called congressional "watchdog" committees.

I well recall during the Bay of Pigs the acceptance of the generally held belief that those individuals and activities connected with intelligence estimates should be separated from those who plan and execute operations. This would mean that intelligence estimates will not be cut to the cloth of those who would like to engage in operations. To the best of my knowledge this has not been done.

While I recognize that the Central Intelligence Agency cannot announce its triumps, I do believe that from the negative viewpoint the article by Mr. Stanley Karnow in the Providence Journal of September 7, 1965, might be of interest to my colleagues. It outlines various abortive projects of the CIA in the Far East, apparently often the result of the nonseparation of intelligence analysis from the execution of operations. And I believe that the reading of it will emphasize the need for tighter controls.

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

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

RECORD OF CIA IN SOUTHEAST ASIA PLACES U.S. NAME IN DISREPUTE

(By Stanley Karnow)

WASHINGTON.—In a petulant mood one day last week, Prime Minister Lee Kuan Yew of Singapore, unfolded an intriguing glimpse of history. Late in 1960, he disclosed, a Central Intelligency Agency operative had offered him a $3 million bribe to conceal a bungled American espionage attempt. The shadowy affair involved girls, too—or, as Prime Minister Lee put it, "Like James Bond, only not so good."

A House subcommittee on foreign affairs led by CLEMENT ZABLOCKI, Wisconsin Democrat is scheduled to begin a closed inquiry into what happened in Singapore tomorrow.

But what happened in Singapore, though rather embarrassing, was relatively innocuous compared to a clumsier assortment of other covert American efforts in southeast Asia over the years. For example:

In Burma, more than a decade ago, U.S. secret agents striving to influence Burmese political leanings were somehow sidetracked into the more rewarding pursuit of opium trading.

In Cambodia, U.S. secret agents were indirectly involved in an abortive coup d'etat contrived to overthrow Prince Sihanouk's government.

In Indonesia, U.S. secret agents backed a desultory rebellion aimed at undermining President Sukarno.

In Laos, U.S. secret agents' operations ranged from stuffing ballot boxes to bulwarking a full-scale military offensive by insurgents against the country capital.

None of the operations succeeded in any significant long-range sense. Some served to justify local leaders' doubts or hostility toward the United States and nearly everywhere in southeast Asia, though supposedly clandestine, American covert activities were widely known.

INGENIOUS PLAN IS FAILURE

The first of these earnest efforts, back in the 1950's, was focused on the tangled jungles of northwest Burma. Defeated by the Communists in China, bands of Chinese Nationalist troops had retreated into this area, where they became brisk opium traders. It was considered, however, that they might perform a nobler purpose.

As it does now, Burma in those days adhered to a neutralist line. But neutralism, insisted the then Secretary of State John Foster Dulles, was not only immoral, but shortsighted. Thus a clever scheme was elaborated to help the Burmese see the light.

The remnant Chinese Nationalists would be inspired to provoke Communist China into attacking Burma, thereby forcing the Burmese to seek salvation in the Western camp. Ingenious as it was, the plan worked poorly.

For one thing, the Americans assigned to supply the Nationalists with weapons and gold enlisted the aid of Gen. Phao Sriyanod, the police chief of neighboring Thailand. But Chief Phao, a leading narcotics dealer, cared little about international politics. He simply wanted to latch on to the Nationalists opium.

And under his aegis, an operation originally dedicated to saving Burmese souls soon degenerated into a lucrative narcotics traffic. Aircraft mobilized to supply the Nationalists were employed mostly to transport opium, and several American agents, unable to resist temptation, eagerly joined in the smuggling. Finally, in 1953, Gen. "Wild Bill" Donovan went out to Bangkok, ostensibly as U.S. Ambassador, effectively to clean up the mess.

CIA REMAINS UNDETERRED

The whole maneuver, dubiously conceived and artlessly executed, had inevitable repercussions. Blaming the United States for supporting the Chinese Nationalists on their territory, the Burmese renounced American aid and came close to quitting the United Nations. For other motives as well, Burma has since found an accommodation to Communist China more advantageous.

The abortive Burmese experience did not deter further convert efforts, however. In 1958, a somewhat different sort of tactic was initiated against another uncooperative leader, Cambodia's Prince Norodom Sihanouk.

Financed by U.S. funds and equipment, a team of South Vietnamese operatives joined Cambodian rebels in attempting to overthrow Prince Sihanouk and replace him with Dap Chuon, then the Cambodian Minister of Security. The plot fell apart when loyal Cambodian troops invaded the rebel headquarters, killed Dap Chuon, and discovered among the insurgents a U.S. Information Agency employee.

Only a month before, Prince Sihanouk had publicly praised U.S. aid and denied any

intention of flirting with communism. After the plot against him, he promptly recognized Red China and rejected a new offer of American assistance, terming it "suspicious."

About the same time, U.S. operatives began to cast an eye toward Indonesia, where local army commanders scattered across the far-flung archipelago were rumbling against President Sukarno's government. Some objected to growing Communist strength, others had regional grievances.

As rebellions spread through Sumatra, East Java, and other outlying areas, Secretary of State Dulles intruded with the opinion that the United States wished for Indonesia a regime that "reflects the real interests and desires of the people." Against the opposition of American diplomats in Jakarta, covert U.S. support for the rebels started to flow south from bases in Formosa and the Philippines. One American pilot, Allan Lawrence Pope, was shot down while on a bombing mission over Indonesia.

TURNING POINT FOR SUKARNO?

Undercover United States help to the Indonesian rebels was never extensive, it seems. It was enough, however, to reinforce Sukarno's distrust of the United States. Some analysts believe it was a turning point, after which Indonesian-American relations have steadily slid downhill.

By contrast, CIA operatives fanned out through primitive Laos with the authority of game wardens in a national park. They selected and subsidized local political leaders and actuated uprisings. They so rigged the April 1960, elections that all the contested seats were won by right wingers.

In one constituency their chosen candidate received 18,000 votes, while his pro-Communist opponent polled only 4.

Later in 1960, while a State Department spokesman warned that civil war would only help the Communists, a team of covert American advisers engineered General Phoumi Nosavan's drive against Vientiane, the seat of the neutralist government headed by Prince Souvanna Phouma. One effect of the turmoil was to open the way for Soviet intervention in Laos.

After the Bay of Pigs disaster, President Kennedy fortified a watchdog committee to supervise CIA activities, and the day of romantic undercover operations waned, but there is still talk in Washington of putting the CIA under some kind of firm surveillance.

And as Prime Minister Lee Kuan Yew reflected in his Singapore charge, the notion still persists that U.S. policy in southeast Asia is planned and activated by characters out of Ian Fleming novels—only not so good. In the popular image, these characters topple governments, subvert leaders and seduce dragon ladies.

But whether the image is always true or sometimes exaggerated, U.S. policy is often a victim of its image.

FURNISHING OF ARMS TO FOREIGN COUNTRIES

Mr. PELL. Mr. President, those of us who have been concerned with the giving of arms to neighboring countries who are hostile to each other, such as India and Pakistan, Greece and Turkey, have the wisdom of our concern confirmed by the present war between India and Pakistan.

While I fully believe in the importance of educational and economic development of the underdeveloped nations of the world, I continue to believe that our encouragement of the military development of these nations is a self-defeating policy on our part. In Latin America we find the military assistance often used as a means of perpetuating the oligarchies, or providing the means for military or nondemocratic groups to perpetuate coups overturning popularly elected governments.

A list of the nations south of the Rio Grande where this has occurred is very long indeed in this regard.

In order to emphasize the importance of exercising restraint when it comes to giving military aid to the underdeveloped nations of the world or to neighboring hostile pairs of nations, I ask unanimous consent to insert into the RECORD at this point a table from this week's Newsweek, showing who give what arms to India and Pakistan, and an article by Mr. Stanley Karnow that appeared in this morning's Washington Post.

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

Arms: Who supplied what

[From Newsweek, Sept. 20, 1965]

	India	Pakistan
United States:		
F-86 Sabre jets	0	100
F-104 Starfighters	0	50
B-57 attack bombers	0	30
C-130 transports	0	4
C-119 transports	25	0
Patton tanks	0	200
Sherman tanks	30	0
Great Britain:		
Hunter jet fighters	150	0
Vampire bombers	100	0
Gnat jet fighters	100	0
Canberra bombers	80	50
Canberra photo planes	8	0
Viscount transports	5	0
Centurion tanks	210	0
Stuart tanks	80	0
Soviet Union:		
Mig 21 jet fighters	6	0
Ilyushin transports	2	0
Anonov transports	24	0
France:		
Mystère IV jet fighters	100	0
AMX 13 tanks	40	0

[From the Washington Post, Sept. 13, 1965]

A CATALOG OF PAST EMBARRASSMENTS—KASHMIR CLASH POINTS UP DILEMMA INVOLVING U.S. WEAPONS AID ABROAD

(By Stanley Karnow)

The angry shots being fired across the Kashmir lowlands and the hot Punjab plains are causing anguished echoes in Washington. For the warring Indians and Pakistanis are both armed with U.S. equipment originally intended not to aggravate old antagonisms, but as protection against Soviet or Chinese Communist aggression.

Thus, the clash currently shaking South Asia indirectly dramatizes an American dilemma—whether the United States can effectively supervise its foreign military aid.

The problem is not new. Over the past decade, the United States has endowed nearly 60 nations with more than $20 billion worth of military hardware, ranging from revolvers to missiles. The recipient countries have all vowed, among other conditions, to use American weapons only for defensive purposes.

Yet several foreign governments, measuring their defense needs by their own yardsticks, have betrayed U.S. objectives. And the United States, though disclaiming guilt, has often borne the onus for the ill-advised actions of its allies.

Here is a partial catalog of U.S. embarrassments:

American material delivered to the French under North Atlantic Treaty agreements was wielded against Algerian nationalists, thereby creating the pervasive impression in Africa that the United States supported French policy.

American weapons given to Portugal under NATO accords were used to repress Angola insurgents.

In Cyprus, both Greeks and Turks reinforced their positions with U.S. equipment—which they will undoubtedly also employ if they attack each other.

American tanks rumbling through Latin American capitals have served to overthrow governments painfully nurtured by the United States.

American aid weapons supplied to the Chinese Nationalists were surreptitiously shipped to remnant Kuomintang guerrillas in North Burma in an apparent effort to exacerbate a tense situation in southeast Asia in late 1960.

American-armed South Vietnamese police under the late president Ngo Dinh Diem's regime transported Buddhists and students to jail in American trucks bearing the U.S. handclasp emblem.

In aiding India and Pakistan, the United States tacitly acknowledged that military assistance might ignite an explosion. The program to build up Pakistan's armed force, initiated in 1954, was accompanied by an assurance to India that the United States would take appropriate action if American weapons were used against her. American military aid to India, started in 1962, was clearly earmarked for "defense against outright Chinese aggression."

Since then, Pakistan's $1.2 billion worth of U.S. military material has included Patton and Sherman tanks as well as the latest F-104 jet fighters equipped with Sidewinder missiles. India's far more modest allocation—an estimated $80 million—has largely consisted of communications equipment, ammunition, blankets, and weapons for mountain warfare.

Now and again in the past, lone voices pointed to the volatile nature of the Indian subcontinent. As far back as the mid-1950's, Ambassador to India Chester Bowles argued that military aid to Pakistan would heighten the danger of conflict. As recently as last March, Senator WAYNE MORSE, Democrat, of Oregon, warned that continued military assistance to both India and Pakistan "increases the possibility of war between them."

Now that wars has erupted, the United States has taken some forms of appropriate action. It has halted the ships carrying additional American hardware to the subcontinent. It is also using its military assistance treaties with both belligerants as a legal lever for diplomatic involvement in the situation.

But while a crimewave provokes loud appeals for law enforcement, the outbreak of hostilities in south Asia has inspired surprisingly little discussion about ways to limit the use of American weapons abroad. In some quarters, however, questions have been raised. Can the United States prevent the violation of its military aid agreements? If so, how? If not, why not?

The range of answers varies widely—and many answers generate fresh questions.

A critic of military aid who unsuccessfully tried to shave appropriation last June, Senator FRANK CHURCH, Democrat of Idaho, says: "I oppose the way we've institutionalized and globalized our military assistance programs. We should only give aid where the Communist threat is direct and immediate, as in Korea, Vietnam, or India when the Chinese invaded."

Unrealistic, counters a Pentagon official. "Military aid isn't merely providing weapons. Troops need training, and there's no time for that when the threat is immediate. There's really no way to control our arms abroad.

Our hardware may be misused, but that's a risk we must take."

That Pentago view, in turn, draws fire from a Congressman who complains that Secretary of Defense Robert McNamara is now selling arms abroad "the way he used to peddle Fords." Besides distributing military aid, the Pentagon's weapons merchants—grandly called the Office for International Logistics Negotiations—have sold $9 billion worth of military hardware over the past 4 years, thus stemming some of the U.S. gold drain.

About 90 percent of the Pentagon sales go to Western Europe. "If they don't buy from us," argues a Pentagon official, "they'll buy from somebody else."

To several officials, the proliferation of U.S. arms around the world reflects a lack of selectivity in American defense pacts. The United States actuated the creation of such groups as the Southeast Asia Treaty Organization (SEATO) and the Central Treaty Organization (CENTO) in the Middle East, hoping that its members would face the threat of communism together.

"But we found," submits a State Department specialist, "that many allies cared less about the cold war than about their parochial interests. We're observing now that Pakistan fears India much more than she ever feared China or Russia. Knowingly or not, we armed her to fight India, not communism."

For still other officials, the question goes beyond the use of weapons to the very issue of disarmament. "Our efforts at disarmament started at the wrong end of the scale," contends one expert. "Since World War II, rifles and machineguns have killed more people than our atomic bombs on Japan. We should be discussing the limitation of conventional weapons in disarmament talks.

"But so many countries that want the United States and Soviet Union to disarm refuse to disarm themselves. Maintaining armies lends them a feeling of strength."

Perhaps the Indians and Pakistanis would have never clashed if our military aid hadn't given them the illusion that they were strong enough to wage war."

DESCALATION IN VIETNAM

Mr. PELL. Mr. President, when it comes to Vietnam there has been a great deal of talk in the past of escalation. Now I am glad to see that the word "descalation" is coming more in vogue. In this connection I must congratulate President Johnson and the administration in the unswerving, determined way in which they probe for peace.

Not only does he seek to descalate, but just as we seek descalation in the future in Vietnam, so that descalation can only be achieved if the Communists also practice it.

In this connection I ask unanimous consent to insert into the RECORD an editorial from the New York Times, which not only spells out descalation steps that have been taken, but by the very use of the term makes the word "descalation" official.

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

DESCALATION IN VIETNAM

For more than 10 years the United States has been following a policy of escalation in its military commitment in Vietnam. Now it has apparently decided to explore whether descalation might not offer a more promising approach to a settlement of the southeast Asian conflict. The efforts Washington is currently making in this direction represent an invaluable addition to the numerous other peace feelers that have been and still are being undertaken.

The newest proposal, as Times diplomatic correspondent Max Frankel reports, is that Hanoi withdraw some or all of the 325th North Vietnamese Division it has sent into South Vietnam, in return for a reduction or cessation of American bombing of North Vietnam. This report clarifies the American offer of August 8—revealed in Britain's white paper yesterday—to initiate another perhaps more prolonged pause in the bombing as quid pro quo for an appropriate and commensurate military step by North Vietnam.

There is little reason, of course, to be overoptimistic about the new approach at this stage. No reply has yet come from Hanoi and many past attempts have failed. The British white paper details in 62 documents the innumerable attempts that have been made since February by London, Washington, and other governments to bring about talks. All have been fiercely rejected by Peiping and—occasionally after hesitation—by Hanoi. "Yet," as the official British commentary points out, "there is room for hope."

There have been a number of recent hints that interest in negotiations may be reviving in North Vietnam. Hanoi has admitted and held discussions with envoys from Britain and Ghana. Secretary General Thant, as reported in press dispatches earlier this week, has made undisclosed new peace proposals to the governments most concerned at the request of Ambassador Arthur J. Goldberg.

The substance of a settlement—or at least its main principles—is being commented on by both sides in unilateral public and private statements so explicit that they virtually take on the form of preliminary informal exchanges. Thus, President Johnson on July 28 offered to discuss Premier Pham Van Dong's four-point peace proposals of April 8. And Ho Chi Minh replied in some detail on August 13 to probing questions put to him by the French scholar, Phillipe Devillers, in a cabled interview published in Le Monde of Paris. The North Vietnamese President made it clear that, when the time comes, Hanoi would prefer an international Geneva-style conference rather that bilateral negotiations with Washington. He insisted that the United States actually accept the four points in principle before a conference is held.

For the most part, the four points merely summarize the key elements in the 1954 Geneva agreements, which President Johnson has said the United States also accepts as the basis for a settlement. There is one difficult sticking point. The Communists have added a demand—not in the Geneva accords—that the Saigon Government be reconstituted before elections are held. They demand a coalition regime in which the Vietcong would participate and even, in some versions, be given a decisive voice.

Negotiations, if opened, could go on for a long time. Militarily, both sides are digging in for a long war. But the increasing evidence that neither can win a victory by force of arms makes a political settlement essential. Descalation would be the best way to begin.

TRIBUTE TO G. WILLIAM MILLER, PRESIDENT, TEXTRON, INC.

Mr. PELL. Mr. President, I wish at this time to pay special tribute to Mr. G. William Miller, president of Textron, Inc., whose headquarters are in Providence in my home State of Rhode Island. Mr. Miller has recently completed his 2-year term as Chairman of the Plans for Progress Advisory Council, which was developed through the President's Committee on Equal Employment Opportunity.

Mr. Miller has achieved remarkable success during his period of service as Chairman of the Council. He has brought his skills and talents, as one of our Nation's most eminent young business leaders, to bear on the deeply meaningful principles of equality in employment. He has translated these principles into reality for the betterment of our people and our country.

Under his leadership the number of major participating employers in the plans for progress program increased from approximately 100 companies to more than 300—a tripled rate of growth, now encompassing over 8½ million employees in manufacturing concerns, in retail firms, in banks and insurance companies, and in universities.

In commending him for his service, President Johnson praised Mr. Miller as an "industrial statesman," as a "resourceful motivator of men," and as a "far-sighted leader in the search for voluntary solutions to the unfinished requirements of a free society based on equal opportunity."

Vice President HUMPHREY has similarly praised Mr. Miller for welding into a "vital and lively program" plans for progress and for "extending its efforts and interests beyond equal employment opportunity to community relations, to training programs, to the quality of education available to minority citizens, and to relations between high schools and colleges and the business community." Mr. Miller has given abundant evidence of his public-spirited qualities in Rhode Island. He is a director of the Rhode Island Hospital Trust Co., a commissioner of the Providence Redevelopment Agency, and a director of the Rhode Island Research and Design Center, premised on the future growth and improvement of our State. Indicating his keen interest in Rhode Island cultural affairs, Mr. Miller previously served as a director and chairman of the fund drive of the Rhode Island Philharmonic Orchestra.

In my opinion he represents a combination of vigorous and imaginative business enterprise and dedicated public service—a combination of particular value to our country in these times and one which sets an exceptional example for others to follow.

I am delighted to bring Mr. Miller's achievements to the attention of my colleagues, and extend to him my heartiest congratulations.

I ask unanimous consent to have an article on the subject printed at this point in the RECORD.

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

HUMPHREY PRAISES TEXTRON PRESIDENT

WASHINGTON.—G. William Miller, president of Textron, Inc., was praised by Vice President HUBERT H. HUMPHREY for his dedicated leadership as the Providence man stepped down yesterday after 2 years as chairman of the National Advisory Council of Plans for Progress.

Mr. HUMPHREY said that under Mr. Miller's leadership the program to raise the economic status of Negroes and other minority groups

had been made vital and lively, encompassing 313 companies in its equal employment opportunity phase and extending its interests beyond jobs to community relations, training programs, quality of education and relations between schools and colleges and the business community.

Mr. Miller said the program had made impressive and substantial gains toward greater job opportunities for Negroes. He said the number of nonwhite persons employed by the participating companies had increased by more than 100,000 and he called a 71.4-percent gain in salaried or white collar jobs the most impressive achievement.

From 103 companies 2 years ago, he said the number of participants had increased to 313 firms employing a total of 8,600,000 persons.

Charles E. Spahr, president of the Standard Oil Co., of Ohio, succeeded Mr. Miller yesterday as National Advisory Council Chairman.

NATIONAL BROADCASTING CO.'S "WHITE PAPER"

Mr. PELL. Mr. President, a few days ago, the National Broadcasting Co. devoted its entire evening of prime program time to a sweeping and searching analysis of U.S. foreign policy since World War II. The marathon program, presented under the title of an "American White Paper," was an extremely interesting and informative presentation. It touched all of the great moments in world affairs for the last 20 years—the birth of the atomic age, the Marshall plan, the Berlin blockade, the Korean war, the Hungarian revolution and the genesis of the present crisis in Asia. The visual reconstruction of this turbulent era evoked poignant memories and at the same time gave new perspective to all of us who have lived through these events.

As the press reviews indicated, there are inevitable technical problems involved in the conception and presentation of a program of such vast scope and content, but it seems to me that these problems are of secondary concern. The real significance of last night's effort by NBC was the fact that a major network set aside the usual consideration of public response and attempted to give a serious and responsible treatment to a whole sector of history that needs to be considered in panoramic fashion. It was an excellent effort and the public is the better informed for having seen it. I hope there will be many more, but at this time NBC deserves the applause and thanks of us all for having ventured into the depths of a difficult matter. Finally, Mr. President, I ask unanimous consent that Jack Gould's review of the program in New York Times and also Bernie Harrison's review in the Washington Evening Star, be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

TV: FOREIGN POLICY—NBC DESERVES CREDIT FOR A GOOD TRY, BUT TOPIC NEEDS DEEPER TREATMENT

(By Jack Gould)

A network that cancels an entire evening's regular schedule for a 3½-hour consideration of U.S. foreign policy since World War II is bound to command respect for its earnestness in dealing with an issue of overriding moment. The National Broadcasting Co. did that last night in a marathon review of the country's international relations.

Robert E. Kintner, NBC president, gave the assignment for an exhaustive summary, just as 2 years ago he initiated a 3-hour evening program on civil rights. Fred Freed, producer, was put in charge of digesting in visual form the staggering volume of material on 20 years of world affairs.

Last night's evening was curiously history à la television. Each transpiring event from the explosion of the atomic bomb in 1945 to the agony of Saigon in 1965 was dutifully and methodically recorded, yet the total effect was strangely monotonous and enervating.

The mind boggled at the onrush of fateful happenings that tumbled out in all the superficial brevity common to the newsreel. The viewer was left with a gnawing hunger for some knowing editorial hand to exercise incisive selection, to give evocative meaning and clarity to the evolution of our overseas relations. History bereft of assessment and appraisal quickly reduces itself to a rewrite of headlines.

Not that "American White Paper: U.S. Foreign Policy" lacked potential value for the younger viewer, to whom events of the last two decades are only hearsay. It will be interesting to learn from the ratings how the evening was received, whether the program may have been too long for those who might have learned the most from the presentation, and inadequate for those who looked for meatier content.

There was a fitfulness of approach that was consistently disconcerting. It takes a quick study to absorb in lickety-split fashion the measure of the atom bomb, Churchill's Iron Curtain speech, civil war in Greece, the Marshall plan, the Berlin blockade, the formation of the North Atlantic Treaty Organization, the Korean war, European prosperity, Stalin's death, the Hungarian revolution, sputnik, the U-2 incident, the Cuban missile crisis, and De Gaulle's intransigence. And that was merely a third of the evening.

The second installment explored the role of the United States in confronting the emerging world with humanitarian aid and military might, a sequence that took in Guatemala, Lebanon, and Santo Domingo. It was the best third of the evening's presentation.

The last segment, on the other hand, was the least satisfying. To be sure, there was a speedy review of the Japanese invasion of Manchuria, the dashed hopes of the United States in making China an ally, and the Korean war.

But NBC did an inexcusably cursory and hurried job in covering the details of the debate over American policy in Vietnam. Except for an interview with Norman Thomas, the opponents of the administration's policies were made to appear as videogenic eccentrics. The program's visual concern for battle scenes took precedence over all contemplation of the political, social, and economic future of Asia.

Where the NBC program had a chilling relevancy was in rerunning the miscalculations of high officials as to the duration of the Vietnam war, and in showing the remorseless process of escalation.

A 3½-hour program, out of which roughly 20 minutes was set aside for commercial messages, may require a new cinematic technique, some fusion of the raw events with a searching analysis of their meaning.

Foreign policy simply does not lend itself to police reporting of the what, where, and when of events. The need is for searching and provocative study of the why, not only in terms of how the United States looks at the world but, to a much greater degree than was undertaken last night, how the world looks at us.

Mr. Kintner and NBC must be credited with an important innovation in TV. But to realize their goal of penetrating mass indifference to a difficult subject they should not be afraid of shooting high in terms of stimulating substance. With the specter of war now a reality the public is ready for a much sterner examination of world affairs than NBC provided last night.

ON THE AIR: 3½ SUPERB HOURS

(By Bernie Harrison)

Chalk up a big one for NBC. TV's accomplishments in the documentary field, the light in the wasteland, should come as no surprise, but last night's prodigious 3½-hour white paper on American foreign policy also demolished for good, I hope, the medium's inhibiting time concepts.

Executive producer Fred Freed had said earlier of its length that he didn't see how it could be done in less time. He was right—but not a moment was wasted.

The networks have devoted more time to other subjects, but not in one chunk taking up an entire evening of a network's prime time. It needed, I think, to be so presented; one part of the review led naturally to another, and a lapse of time between segments simply wouldn't have worked.

For example, how many parts of the splendid four-part CBS Reports on Vietnam did you see, including last Monday's? That show brought the war home in one dramatic shot of a marine with his leg caught in a Vietcong bear trap.

All things considered, it was a thoughtful, balanced achievement in an obviously difficult and complex area. It set out to answer one question: How did we get where we are?

I think it did this very well. Less clear, possibly because of the variety of dissent, was a clear statement of our foreign policy in relation to specific cases.

Unlike some documentary shows with a lot to say and which wind up confusing the viewer with flashing comment and picture, the white paper was beautifully paced. Many documentary techniques were employed, including the use of excerpt comments from opposing guest experts to provide a kind of running debate. Dean Rusk, Egypt's Nasser, and an astounding number of world leaders contributed comments for the program.

The film editors did their work well. The sequence on the meaning of a third atomic world war, during the confrontation over Cuba, employed graphic shots of missiles rising out of silos. It was one long gulp.

Other film on the French disaster in Indo-China, with the onrushing soldiers, looked like a scene from a DeMille movie.

In almost all cases, the choice of visual material for illustration of points to be made was good. The first part, which reviewed the confrontation with the Soviet Union, beginning with World War II, only sketched the highlights. But it was a serviceable introduction, even if the economic aspects were barely spelled out.

But the program got better as it went along, beginning with the sequence on the emerging nations. One piquant and revealing segment showed British Commonwealth members discussing the Vietnamese war and the effort to wall up China.

NBC's entire team of producers, directors, and reporters rate a salute on this one. It's one thing to do something prestigious like this one because you ought to; it's quite another to do something that ought to be done and to do it boldly and well. It wasn't exactly an evening with Dean Rusk.

Mr. MANSFIELD. Mr. President, I yield such time to the Senator from Pennsylvania [Mr. CLARK] as he may require, on the bill.

WORLD CONFERENCE ON WORLD PEACE THROUGH LAW

Mr. CLARK. Mr. President, there is now in progress at the Washington Hilton Hotel a most interesting—indeed, I might say, exciting—conference entitled "The Washington World Conference on World Peace Through Law." It was my privilege to be present at the opening session this morning, at which an excellent opening address was delivered by Hon. Earl Warren, Chief Justice of the United States.

I ask unanimous consent that this address be printed at this point in the RECORD.

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

ADDRESS DELIVERED BY THE HONORABLE EARL WARREN, CHIEF JUSTICE OF THE UNITED STATES, AT THE INAUGURAL SESSION OF THE WASHINGTON WORLD CONFERENCE ON WORLD PEACE THROUGH LAW, MONDAY, SEPTEMBER 13, 1965

I bid you welcome to my country and to our Nation's Capital City. Especially do I welcome my colleagues of the high courts of nations and judges of international courts who are our honored guests, this being our first meeting together on a worldwide basis. I have met many of you in my travels and look forward to renewing the warm friendship thus created. And I am certain many new friendships will be born here among those of you whom we meet for the first time. May I say that anything I or my colleagues on the Supreme Court of the United States can do to make your visit more pleasant and fruitful will be done.

We of the law are gathered here from the four corners of the earth to make our personal contributions to a program to help achieve mankind's greatest need—world peace. We come from more than 100 nations. Collectively, we live under all political systems, adhere to all religions and creeds, use all languages, and are composed of all races; yet we possess a common core of understanding which springs from universal ideals of fairness and reasonableness which are inherent in the principles of the rule of law. Thus the rule of law gives us a "common language" which bridges our differences and enables us to work together on the great task for which we are assembled.

The control of force in international relations is the paramount problem of our day. I believe that the legal profession has a unique contribution it can make to the solution of that problem. The lawyer's skills in problem solving, the judge's experience in deciding, the leadership of all elements of the law in public affairs are sources of strength we must draw upon as we face up to our challenge and responsibilities.

Our task at this Conference is to move humankind forward along the road to peace. We will do this by counseling together upon concrete steps to strengthen existing rules of law and existing judicial institutions. We will do this also through the formulation of ideas for new rules and new adjudicating institutions.

This year has been designated International Cooperation Year by proclamation of the U.N. General Assembly—a year "to direct attention to the common interests of mankind and to accelerate the joint efforts being undertaken to further them." No more important common interest exists than our shared interest in a world ruled by law; for mankind's most practical hope for world peace lies in an orderly world community under the rule of law.

We live in an era in which concentrated research involving worldwide exchanges of knowledge and experience in the physical sciences has brought dramatic achievements.

When the scientists split the atom, their success was the end result of the combined cumulative research of men of science from throughout the world. The knowledge and experience of these thousands of scientists was used to achieve this great goal. Centuries of hard work were thus finally crowned with success, and a seemingly impossible result was thereby accomplished.

My thesis is that we can and must accomplish our objective in like manner. But our approach must be different. Instead of breaking society down to its most minute elements, we must bind it together into a viable whole. Achieving and maintaining a rule of law strong enough to regulate actions of nations and individuals in the world community is no more dreamy, impossible or impracticable than was the idea of splitting the atom, or putting a man on the moon, or sending a missile to Mars a few years ago. I believe we of our generation can translate the centuries-old dream of a world ruled by law from dream into reality. In part, my belief is based upon the imperatives of our day which make this a necessity to save mankind from nuclear holocaust. In part, my belief is based upon the fact that there is more law and judicial institutions today, nationally and internationally, than ever before in the history of mankind. Given this knowledge and reliance and taking note of the necessity that we succeed in order to survive, I would like to comment upon factors we possess which should enable us to move forward in our quest for a world ruled by law.

First. We know more about law in the world internationally and within nations than any other generation of the legal profession. There is an ever-growing worldwide dialog among men of the law which is making itself a factor in world affairs. Human unity and interdependence of men and nations upon each other have reached such a degree that none of us can remain ignorant or indifferent to what is happening in law in other nations or in international organizations. Because of the faster and more comprehensive communications which now exist we know more about the basic facts of the law systems and judicial systems of the world than ever before.

This is not to say our knowledge is as complete as it should be, but only that it is greater than in the past and is continuing to grow. Through exchanges of law books, law journals and other media, we are learning more about law and justice all over the world. In the field of law, we will soon be able to bring the totality of man's legal knowledge and experience to bear on our task of creating enough law and enough judicial agencies to enable the world to operate under the rule of law.

Second. More and better law exists today in each nation than ever before. All recent surveys prove this fact. Nearly every nation is reforming, updating, and expanding the rule of law within its borders. This tremendous ferment and growth in the field of law on a global basis is the response by the law to the great changes which are the hallmark of our day.

In England they are doing a major overhaul of their ancient criminal laws, as are we on many subjects. Newly developing nations have new constitutions and new law codes. Many illustrations could be cited nation by nation. The most obvious development is the expansion of protections for the individual, a response to the universal striving for human dignity and freedom.

As we learn more about the law systems of other nations, our respect is increased for some of the improvements many nations have made in such fields as criminal law, family law, commercial law, and others. By exchanging ideas and experiences on a worldwide basis we will enable ourselves to perform a better service in our respective nations.

We must get to know each other as well as to know each other's law because from personal friendships we can forge links of great worth to the people we serve and provide continuous contacts for further collaboration on matters of mutual interest.

The unique exhibit at this Conference of great historic and current instruments of law gives us an opportunity to share the law heritage upon which we must build the world of law we seek. These great documents like the Magna Carta, the Code of Justinian, the Declaration of Rights of Man, the Code of Napoleon, the U.N. Charter, and many others of even earlier times which are on display, lend a glowing inspiration to our meeting and our work together.

When such an exhibit for this Conference was suggested, it was with the thought that this common heritage of the law would give impetus to our work by spotlighting the ideals we have in common, thus minimizing our differences. It was an acknowledgment that we, a young nation, honor the older nations for their contributions to the laws and institutions which we cherish.

Third. More international law exists today than ever before. The pace of discovery and invention has forced this rapid development of law. In the past 20 years, the U.N. and its specialized agencies have spurred, spawned, updated, or sponsored more international law and legal institutions than was created in all human history. In the preoccupation with some of the more divisive problems of the United Nations, we sometimes overlook the law that has been generated by it. But when one takes an inventory of what has happened, this growth of law and legal institutions stands forth as conclusive proof of how tremendously valuable the U.N. has been, and is today.

The United Nations has updated such ancient world law as the law of the sea and the law of diplomatic immunity. It has drafted new law on subjects such as the nuclear test ban, human rights, space, aviation, and communications. The new law and the new legal institutions which the U.N. and its specialized agencies have brought into existence are tremendous in their scope and volume.

In aviation, for example, there is a worldwide regulatory agency for rates and one for safety operations. There are also agencies for decision of airline disputes and law rules relative to a veritable host of related needs like weather, customs, and accidents on the ground and in the air. Domestic law on aviation in nation after nation complements international aviation law, and together they form an excellent example of how wise it is to develop each in step with the other.

Regional agencies under the U.N., and non-U.N. agencies like the European Common Market and the recently born South American and Central American Common Markets, are also creating a vast volume of new law and new law agencies. By necessity the interdependent nations and peoples of our day are demanding the creation of new rules of law to govern and guide their ever-accelerating international trade, travel, investment, and other relations—new transnational law for both men and nations.

Above all, one must note that in every field, on every subject, where law and judicial agencies are in existence they are working well and their acceptance and use are at an alltime high. That law which is adequate will work where used internationally is easily proved. Those relations of men and nations now amply covered by world law provide this proof. I cite the law of the sea, the law of diplomatic immunity, and the postal convention. For relations and contacts in those fields operate smoothly

under law rules that are well-nigh universal because so many nations are parties to those treaties.

If we had hundreds of other subjects covered by such universally accepted law rules, frictions and disputes would be lessened and world peace through law would be within reach. Our great task is to draft and sell to the peoples and governments of nations the hundreds, perhaps thousands, of agreements needed to cover in an adequate manner transnational relations of men and nations. And the most certain fact is that, with the ever-growing increase in international trade, travel, and other contacts, the number of such agreements needed for this purpose will increase greatly in the years ahead. We must therefore set up law drafting, law creating procedures, and methods to meet this obvious need.

Fourth. International judicial bodies have grown in number and use. We have a World Court (International Court of Justice) whose use and prestige are increasing constantly; in fact there is a growing tendency in treaties to expressly provide for jurisdiction of the World Court over disputes involving their provisions. I am happy to know that the distinguished Chief Justice of the World Court will soon follow me to this podium. The European Court of Justice has had brought before it more than 1,000 international cases arising out of the functioning of the European Common Market. The Conciliation Commission of the European Human Rights Court has considered, mediated, or dismissed over 2,000 complaints, making it necessary for the Court itself to consider only 2 cases.

Many U.N. and non-U.N. international agencies have quasi-judicial bodies as a part of their legal structure to which governments and individuals may take disputes for decision under prescribed law rules. Last year the use of international arbitration bodies in the commercial area reached an alltime high. The World Bank's recent proposed Convention to create a world dispute center to provide judicial arbitration and conciliation panels to decide commercial disputes over foreign investments will accelerate this use of international adjudication manifold.

Domestic courts, too, are increasingly called upon to decide international law questions. My own Court has recently decided such questions as whether to uphold the "law of the flag" and the "act of state" doctrines. I am sure that you judges of national courts are having similar experiences, the exchange of which among us will add to the value of this Conference.

Fifth. The rapid expansion of the scope of international law and the expansion of the jurisdiction of international judicial institutions to encompass rights and protections for the individual have brought to this field thousands of new supporters. While fully recognizing that traditionally international law and its institutions have been largely confined to governmental relations among nations, we cannot blind ourselves to the impact of this new and growing constituency, who out of self-interest, are demanding that international law be developed to meet their needs as individuals.

The individual of our day trades and travels on a worldwide basis and feels the necessity for law to govern, guide and protect his constantly increasing relations with his fellow man in other nations. The European Court of Justice for the European Communities and the European Human Rights Court both allow individuals to bring cases before them. Most of the new international courts now proposed would allow individuals to appear before them, and much of the new world law of recent years has as its main object the needs and desires of the individual.

Sixth. We are reexamining traditional concepts of international law in the light of the world of today, not only as to applicability of international law to individuals, but in an attempt to insure that international law of our day takes into consideration the history, traditions, customs, and needs of newly independent and newly developing nations. Thus the gap between East and West is being bridged. New international law is being created which is acceptable both to lawyers and the peoples of the East and West because it is a molding of the ideas and ideals of all mankind.

Seventh. Heads of state and other leaders of nations are giving more and more attention to world law and are resorting to it with increasing frequency in their dialog among themselves in their conduct of foreign affairs. In part, this is because more international law exists and it, therefore, offers an excellent starting point for many efforts in foreign relations. Nearly every dispute between nations today begins with a citation by both sides of alleged rights or claims under international law.

At this Conference and previous conferences leading up to this meeting, more than 100 heads of state have sent messages stating their adherence to the idea of a world rule of law. I believe that this increasing interest in and increased reliance on world law by governmental leaders is a relevant fact as we consider the road to peace through law.

Eighth. The peoples of the world are more and more aware of the promise and potential of a world ruled by law. This is shown by reports in news media and publications on a worldwide basis. One finds that religious, scientific and other organizations in their resolutions and statements more and more are urging a world rule of law. True, they ask for it in wondering sort of way without specifying the steps to achieve it. But discussions, arguments, speeches and debates on this subject all tend to educate both lawyers and laymen on the value of law in the search for ways and means of achieving and maintaining world peace. Law, in ultimate thrust, is the end result of conferences, discussions, diplomacy, resolutions and other public consideration. Especially valuable in building world law is public enlightenment, education, interest and support. All world law must result from international cooperation and agreement by nations and leaders of nations will hardly agree to any treaty or convention unless their people want them to agree. That is why I commend my colleague Chief Justice Yokota of Japan for his proposal of World Law Day which has resulted in so much international public attention being focused at this very moment upon world law and its promise and potential.

Ninth. Judges, professors and lawyers of the world are becoming organized to take advantage of the facts I have just enumerated. This organized strength of the legal profession helps make possible a breakthrough in the growth and development of world law parallel to those in science and other disciplines. We are learning to think and act globally for the first time in history. We can no longer await the slow and episodic growth over the centuries as was the case, for example, of the law of the sea. A more speedy and orderly process is essential and is evolving out of necessity.

This is only the second World Conference of the legal profession attended by delegates from more than 100 nations. The reports, addresses and discussions at this Conference will demonstrate the value of the organized effort thus far generated. The igniting of ideas on an international basis, the bringing to bear of this assemblage of manpower and brainpower on what to do and how to do it are all exciting new advances toward our towering goal of a world rule of law.

Tenth. This historic first world gathering of Chief Justices and High Court Judges is also a plus factor in the movement toward world peace through law. As in the case of law and lawyers, we have more courts and more judges that ever before in all history both nationally and internationally.

Since one objective of the world peace through law program is to have legal disputes decided in courts rather than by violence, we who devote our lives to deciding such disputes may be able to make a major contribution to this quest for peace under law. Just what our role should be in this program is yet to be developed but we should make a beginning here at this Conference. Perhaps we can begin to define the proper role for judges in this great effort by a frank exchange of ideas on this subject at out joint discussions. I feel certain that we can evolve a role for judges that is proper, beneficial, and adequate as our contribution to the great need which exists.

Knowledgeable observers of the development of law in the world community agree with the obvious conclusion which flows from this recitation of the incontrovertible facts describing the ever-accelerating expansion of the field of law. In every instance where the law is plentiful and strong enough to be effective, it works well.

This story of the law's dramatic growth is not intended to present the rule of law as a panacea for peace or as creating a utopia in ultimate thrust. Nations are run by men, and differences and disputes are inherent in human nature. The rule of law in a nation or internationally does not end all disputes or prevent the breaking of the law. In its simplest form, a law system is a set of rules to govern and guide human conduct so as to avoid conflicts and a court system for peaceful decision of the inevitable disputes that will arise.

No law system is put forth as providing perfection. Perfect justice is an ideal we all strive for but never quite accomplish. But the lesson of history is that when law systems and court systems become adequate within nations they do provide order and peace. When such systems are developed for the world community, they can and will perform the same service internationally. The international law that exists already is a force for peace and as we strengthen and expand it the occasions for disputes leading to war will lessen.

My message is one of hope and accomplishment—a report of achievements in the field of law which are clearly preludes to great advances—advances which will benefit the status of all peoples by advancing the cause of peace. The law is on the march everywhere. We now have a sound foundation upon which to erect a more complete rule of law for the world community.

We are matching our words about a world ruled by law with a program to give them substance. That the task is not easy and that it requires years of dedicated effort should make us undetermined rather than fainthearted. For success in our ultimate program means we will so harness mankind's newly developed power under the rule of law that it will be used for man's benefit rather than be used for his death in nuclear holocaust. The only provable harness for the peaceful containment of power yet developed by the mind of man is the rule of law.

I for one believe we can create just as mightily in the law field as our scientific brethren did in the field of science. We can, because we must, create sufficient law to prevent use of the awesome power of the atom to destroy man and civilization.

It is now time for us to get on with our task. Certainly it is that no man or woman can engage in a greater enterprise, for it is no less than a joint endeavor to save humankind from extinction by creating a world order under law wherein all men, women and children everywhere can live in peace and decency.

Mr. CLARK. The Chief Justice gave 10 specific suggestions as to how the rule of law could best be achieved in the world of chaos in which we live. I commend the reading of this address to my colleagues and others who read the CONGRESSIONAL RECORD.

Chief Justice Warren was followed to the podium by the Right Honorable Sir Percy Spender, President of the International Court of Justice, who spoke in somewhat more pessimistic tones than Chief Justice Warren, but I thought realistically. He concluded his address with these words:

I express it perhaps as my own personal conviction that it will be only through educated and informed opinion of the world that ultimately the rule of law in international affairs will be accepted by the nations of the world.

Unfortunately, we are a long way from that situation at the moment.

I ask unanimous consent that excerpts from Sir Percy Spender's inaugural address be printed at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM THE INAUGURAL ADDRESS BY THE RIGHT HONORABLE SIR PERCY SPENDER, PRESIDENT, INTERNATIONAL COURT OF JUSTICE, TO THE WASHINGTON WORLD CONFERENCE ON WORLD PEACE THROUGH LAW, SEPTEMBER 13, 1965

We live in an age of great unrest and change; the most remarkable age in mankind's history. The genius of man has opened vast vistas of achievement, yet we have failed to find the means to insure to man the peaceful enjoyment of his life.

Twice in this century millions of men, women and children have died, have been slaughtered in the madness of war. We seem able to resolve every problem that confronts us except one—the problem of human conflict.

It is Carlyle I think that observed one generation never learns from another. Whether that is true or false, it is certain that mankind has the capacity—perhaps fortunately—to forget the happenings of recent times. Will mankind never learn that only in an ordered world subject to an accepted discipline of international law can it ever escape from the scourge of war?

Twenty years have passed since the United Nations was created. After a terrible war man cried out for some means by which the horror of warfare would be obliterated. Yet in the last 20 years mankind has hovered more than once on the edge of disaster.

These 20 years have continued to reveal an age-old struggle of man against man, race against race, nationalism against nationalism, state against state.

The Charter of the United Nations lays obligations upon its members to refrain from the use of force, or the threat of force, in the settlement of their disputes. Indeed it is inherent in the Charter of the United Nations that all disputes between nations which are likely to imperil peace should be settled in accordance with justice in international law. Can it be said that every state, every member, of the United Nations has conscientiously sought to carry out these obligations?

The purpose of this Conference is to advance the cause of peace through international law. There could be no more noble a cause. Yet the task ahead is a tremendous one since it involves the acceptance by nations of the rule of law. Every nation is not prepared to accept the rule of law, nor am I optimistic enough to believe that in this generation it will come to pass.

It is said that the way of a transgressor is hard; the way of the peacemaker is harder still. It takes but one nation, large or small, to commit aggression. It takes more than one nation to make the peace. A nation that sets out on the path of aggression is rarely ever willing to retrace its steps to the path of peace.

World peace is challenged whenever any nation, great or small, engages in aggressive action, or indeed, in aggressive policy. The action of even a small nation, in the complex world we live, sets in motion a chain of events of unpredictable consequence.

In the result, international situations are created that may endanger the peace of the world and in these situations, leaders of these nations must take a position—negative or positive. What they do will produce its consequences which are not wholly predictable. If the situation is one which may imperil the peace of the world or one in which the vital interest of another nation is thought to be involved, they may feel obligated, if diplomatic action appears abortive, to settle the dispute which underlies the situation to act in this manner or that, setting off a chain of other actions, the result of which may not and often cannot be predicted. This is the inescapable fate of man.

Diplomacy seeks to anticipate danger and offset it before it gets out of hand. This requires great wisdom, but man is not always wise.

Where diplomacy fails, peaceful settlement of disputes between nations is still possible by the discipline of law. It is for this purpose that the International Court of Justice—the World Court—exists. Its constitution and functions are defined in the statute which is itself part of the Charter of the United Nations.

Its jurisdiction depends on consent of the states. Consent is the essential element. There are few disputes, whatever the kind, which cannot be pronounced upon by the Court if desired. Consent of states to submit to the Court involves acceptance of the Court's decision and there are more than a few states in the world who would prefer political freedom, for all it means, rather than submit to any form of adjudication.

It took many centuries before Western civilization was able to lift itself from the chaos of tribal disunity and accept in each of its states the rule of law to govern each of their societies. No society can exist except by the rule of law. By the same token, no ordered international society can exist without acceptance of the rule of law to which they adhere.

The peace of the world is a fragile thing indeed. As I have said, in the last 20 years, it happened more than once that it was imperiled by all that is involved in the nuclear age. Although attempts have been made to obliterate all weapons, the cold, hard fact is that chances are, despite every effort of nations to dissolve them, that nuclear arms will find their way into the hands of nations of more than those who possess them today. The sands of time have been running out in preparation of this effort, and already more than one arm stretches out with its nuclear finger on the trigger.

Sometimes one despairs of accomplishing an ordered international society accepting the rule of law, and perhaps it will not be achieved for many generations, but this great Conference is in earnest that man will struggle toward peace and seek to find the means in truth to vanish the scourge of war from the earth. Time, I do not believe, is on our side, which makes more urgent our task. One may hope that from this Conference may emerge some positive result to the leaders of the objective we all have at heart. There is, however, one final remark I wish to make. I express it perhaps as my own personal conviction that it will be only through educated and informed opinion of the world that ultimately the rule of law in international affairs will be accepted by the nations of the world.

Mr. CLARK. Mr. President, it is interesting to note that at this Conference 12 Members of the Senate are enrolled as conferees, some of whom, including myself, will have an opportunity to participate in the proceedings. In addition to myself, Senators who have registered include Senators COOPER, HART, HICKENLOOPER, HRUSKA, ROBERT KENNEDY, MILLER, MONRONEY, SALTONSTALL, SYMINGTON, and TYDINGS.

Thirty-nine Members of the House are also registrants at the Conference.

The Conference includes the chief justices or principal judicial officers from 120 different countries. It was organized by a fine Washington lawyer, formerly president of the American Bar Association, Charles S. Rhyne.

I urge all my colleagues to take an active and keen interest in the Conference at the Washington Hilton. It will continue until Saturday. A banquet will be held Friday night, at which the principal speaker will be Hon. Arthur J. Goldberg, U.S. Ambassador to the United Nations.

STATEMENT BY AMBASSADOR ARTHUR J. GOLDBERG BEFORE SPECIAL COMMITTEE ON PEACEKEEPING OPERATIONS, UNITED NATIONS

Mr. CLARK. Mr. President, on an allied subject, I am pleased at the start Ambassador Goldberg has made in his very difficult job of applying the rule of law in his duties as our Ambassador to the United Nations.

On the 16th of August he delivered a talk to the Special Committee on Peacekeeping Operations in which he outlined the new U.S. position with regard to U.N. financing.

I ask unanimous consent that a copy of his remarks may be printed in the RECORD at this point, together with a number of laudatory editorials which comment on Justice Goldberg's speech. One is entitled "Keeping the U.N. Afloat," which appeared in the Philadelphia Inquirer; another, entitled "A Wise Decision," from the Christian Science Monitor; and a third entitled "New U.N. Policy" from the New York Journal-American.

There being no objection, the statement and editorials were ordered to be printed in the RECORD, as follows:

STATEMENT BY AMBASSADOR ARTHUR J. GOLDBERG, U.S. REPRESENTATIVE TO THE UNITED NATIONS, AS DELIVERED IN THE SPECIAL COMMITTEE ON PEACEKEEPING OPERATIONS, AUGUST 16, 1965

Mr. Chairman, I am deeply touched by your more than cordial welcome and remarks, and I hope that I can in small measure add to your efforts and the efforts of the distinguished colleagues who sit here and in the other organs of the United Nations in pursuing the goals we all share.

I have had the pleasure of meeting informally with some of the heads of delegations to the United Nations during the past

few weeks. I hope that in the weeks to come I shall have the pleasure of meeting with all of them. This, however, is my first formal appearance before an official organ of the General Assembly. I therefore asked to be inscribed to speak first so that I might begin, with your indulgence, by assuring all members represented on this important committee of the great sense of responsibility I feel in assuming my new duties as permanent representative of the United States of America to the United Nations.

President Johnson, in announcing my appointment, said of my assignment: "In his new office he will speak not only for an administration, but he will speak for an entire nation, firmly, earnestly, and responsibly committed to the strength and to the success of the United Nations in its works for peace around the world."

My own thoughts, in accepting this assignment, are dominated by a strong conviction that the world is so full of danger and tribulation that every part of the United Nations' peacekeeping machinery must be in working order so that the United Nations as a whole can perform its appointed role, under the charter, of peacemaker and peacekeeper.

And I cannot enter upon my official duties without paying my respects to my great and gifted and eloquent predecesor, the late Adlai E. Stevenson. He will be sorely missed, not only by his own Nation but also in this great world assembly and by peoples throughout the whole universe. Governor Stevenson and I were personal friends of long standing; we came from the same part of the United States, the State of Illinois, and I knew him well enough to be sure that if he could be here today his message to us would be simple and forthright: Get on with your work of making peace.

I therefore turn to the business at hand.

I do not intend to review here in detail the position which the United States has taken with respect to articles 17 and 19 of the charter. As the members of this Committee are well aware, we believe in the soundness of the following straightforward principles: first, that the concept of collective financial responsibility adopted by the United Nations in 1945 is a sound principle and a landmark in the practice of international organizations; second, that article 17 of the Charter of the United Nations is impeccably clear on the right of the General Assembly to assess and apportion among its members the "expenses of the Organization"; third, that the costs of peacekeeping operations, once they are assessed and apportioned by the General Assembly, are expenses of the Organization within the meaning of article 17—a proposition confirmed by the International Court of Justice and accepted by the General Assembly by an overwhelming vote; fourth, that article 19 is clear beyond question about the sanction to be applied in the case of 2-year delinquents.

Our views on these matters have not represented a bargaining position, nor have they changed. They have not been based on narrow national interest, but on the clear language of the charter and what seemed to us to be the clear interests of the Organization.

This is not and never has been an issue in the so-called cold war. Under the law of the charter the questions would be identical regardless of which member or members happened to be in arrears, or for what assessed United Nations activity they failed to pay, or why they refused to pay for it.

Nonetheless, the issue has been interpreted widely as a "confrontation," not between the delinquent members and the law of the United Nations, but between major powers. And I will say for my Government and for myself that we do not so regard it.

We, for our part, cannot abandon our adherence to positions which we firmly believe to be constitutionally, legally, procedurally, and administratively correct.

Much less can we abandon positions taken and precedents established by the Assembly itself by overwhelming majorities, acting within the framework of the charter and according to its established procedures. I refer specifically to the formal actions of the General Assembly since 1956 leaving assessments to finance the United Nations emergency force; to the similar assessment resolutions since 1960 for the United Nations operation in the Congo; to the decision in 1961 to submit to the International Court of Justice the question of whether these assessments are, in the words of the charter, "expenses of the Organization" within the meaning of article 17; to the Assembly's authorization in 1961 of the United Nations bond issue; to the Assembly's acceptance in 1962 of the advisory opinion of the Court on the question submitted to it; to the reaffirmation by the Assembly's fourth special session in 1963 of the collective financial responsibility of all United Nations members; to the appeal by the same body to all delinquent members to pay their arrears.

All this has been done by the Assembly and cannot be undone by a few of its members. The law and the history of this matter cannot be revised.

The United States regretfully concludes, on ample evidence, that at this stage in the history of the United Nations the General Assembly is not prepared to carry out the relevant provisions of the charter in the context of the present situation. From private consultations, from statements by the principal officers of the organization, from the statements and exhaustive negotiations within and outside this Committee, from an informal polling of the delegations—indeed from the entire history of this affair—the inevitable conclusion is that the Assembly is not disposed to apply the loss-of-vote sanction of article 19 to the present situation.

We regret exceedingly that the intransigence of a few of the member states, and their unwillingness to abide by the rule of law, has led the Organization into this state of affairs.

The United States adheres to the position that article 19 is applicable in the present circumstances. It is clear, however, that we are faced with a simple and inescapable fact of life which I have just cited. Moreover, every parliamentary body must decide, in one way or another, the issues that come before it; otherwise it will have no useful existence, and soon no life.

Therefore, without prejudice to the position that article 19 is applicable, the United States recognizes, as it simply must, that the General Assembly is not prepared to apply article 19 in the present situation and that the consensus of the membership is that the Assembly should proceed normally. We will not seek to frustrate that consensus, since it is not in the world interest to have the work of the General Assembly immobilized in these troubled days. At the same time, we must make it crystal clear that if any member can insist on making an exception to principle of collective financial responsibility with respect to certain activities of the Organization, the United States reserves the same option to make exceptions if, in our view, strong and compelling reasons exist for doing so. There can be no double standard among the members of the Organization.

Some members may believe that in not applying article 19 no important decision is being made. The United States believes—and I believe—that no one can or should overlook the fact that the exercise of important prerogatives of the Assembly granted to it under the charter is being impaired. The United States wishes to strengthen, not weaken, the United Nations by adhering to rather than departing from basic, sound principles. Therefore, we must disclaim responsibility for the Assembly's attitude, which has developed contrary to the views which we still hold to be valid, and place the responsibility where it properly belongs—on those member states which have flouted the Assembly's will and the Court's opinion.

We look forward nonetheless to the not-too-distant day when the entire membership will resume its full range of collective responsibility for maintaining world peace. In the meantime, it is all the more important for the membership, though unready to apply article 19, to solve the United Nations financial problems and to continue to support in practice the sound principle of collective financial responsibility, and to adopt practical and equitable means by which those willing to share the responsibility for peace can act in concert to maintain and strengthen the indispensable peacekeeping capacity of the United Nations.

Meanwhile, the Security Council retains its primary—and I emphasize "primary"—responsibility, although this does not mean sole responsibility, for the maintenance of international peace and security; and the General Assembly retains its residual authority for this purpose, especially when the Security Council is unable to meet its responsibilities.

My Government has never been prepared, and is not prepared, to accept a situation in which the capacity of the United Nations to act for peace could be stopped by the negative vote of a single member. Nor should the effectiveness of this Organization be determined by the level of support forthcoming from its least cooperative members.

The world needs—the world desperately needs—a strengthened, not a weakened, United Nations peacekeeping capacity; and if we need additional proof, we have it in the events which have occurred this very weekend. Those who are prepared to help to strengthen it—the overwhelming majority—must be in a position to do so with or without the support of the reluctant few until they learn, as they surely will, that a workable and reliable international peace system is in the national interest of all members of the United Nations.

My Government states these views here today in the conviction that the time is now for the General Assembly to get on with its heavy agenda, which is indeed the unfinished business of mankind.

We must find new strength and new capacities for building, brick by brick, the community of man.

When my appointment was first announced by the President of the United States I said: "The effort to bring the rule of law to govern the relations between the sovereign States is the greatest adventure in man's history." Coming from a high tribunal of law, which I left with great regret, these were not merely ceremonial words. They described, rather, a deep conviction on my part and a precise evaluation of what I think this work at the United Nations is all about. If President Johnson did not agree, he would not have sent me here.

I would be less than candid if I did not state to my colleagues here assembled my conviction that the rule of law is not being furthered by the action of those member states which are responsible for not implementing it. But establishing a rule of law is not easy, as we know from our national experience and as we know from the entire history of civilization, and, despite temporary setbacks, we must persevere in what is not only a noble but an indispensable task if universal peace is to be achieved.

I therefore pledge to you, the representatives here assembled, and to the United Nations as a whole, on behalf of myself, on behalf of my delegation, and on behalf of the Government that I am privileged to represent, that the United States is prepared to

join in a fresh drive to help the United Nations to gather new strength until the rule of law is universally acceped; until the present and future generations are indeed safe from the scourge of war; until better standards of life in larger freedom are indeed the order of the day, and until the dignity and worth of the human person, entitled to be treated on a plane of equality, which the charter so nobly speaks about, is realized everywhere.

The United States agrees, in light of present world tensions, that the General Assembly must proceed with its work. In doing so, it is well to remember the ancient counsel that, while the world is full of tribulations, "tribulation worketh patience; and patience, experience; and experience, hope."

[From the Philadelphia (Pa.) Inquirer, Aug. 18, 1965]

KEEPING THE U.N. AFLOAT

Ambassador Arthur J. Goldberg's maiden address to the United Nations was not a happy occasion. He was confronted with the difficult and unpleasant duty of announcing the decision of this country to abandon the long fight to enforce article 19 of the U.N. Charter, which calls for suspension of voting privileges of members 2 years or more behind in payment of dues and assessments.

Russia, six Soviet satellite states, Communist Albania, Castro's Cuba and De Gaulle's France are prominent among the 13 countries subject to loss of their U.N. votes if the charter were enforced. Unfortunately, as Ambassador Goldberg acknowledged with unconcealed sadness and regret, the majority of U.N. members are opposed to enforcing the charter. For the United States to have pressed the issue to a vote presumably would have resulted in decisive defeat and intensified the bitterness already generated.

What the United States has done is to try to make the best of a bad situation. It might have been better, though, to have coupled the retreat on enforcement of article 19 with firm and positive insistence on establishment of a commission to clarify the division of authority between the General Assembly and the Security Council—and to revise the charter so there would be no doubt in the future on precisely how much power each body has in the levying of special assessments for peacekeeping missions. We hope constructive steps toward this end will be taken, with U.S. initiative or support, some time soon.

The United States is fully justified, and Ambassador Goldberg made this point with appropriate emphasis, in reserving the right not to pay assessments for U.N. projects if it is considered in the best interests of this country to withhold payments. There is no reason why there should be a double standard in the U.N. on financial obligations. If other countries are to pay or not, as they choose, then it certainly is the prerogative of the United States to insist upon the same freedom of choice.

The crisis at the United Nations has not ended. It will require forceful action and sound judgment of wise men to get the organization on even keel and make it the instrument for peace which it ought to be and, with proper guidance, may yet become.

[From the Christian Science Monitor, Aug. 19, 1965]

A WISE DECISION

The United States decision to drop its efforts to force the Soviet Union, France, and 11 other nations to pay up what they owe on United Nations peacekeeping operations was wise and constructive. It put the cause of the United Nations as a whole before insistence upon the letter of the law, however right this latter might be. We believe that the majority of world body members will recognize the wisdom and the restraint which Washington has shown.

It has been apparent for some time that, regardless of its views on who was right and who was wrong, the majority was not prepared to back the American effort. To have done so, this majority apparently felt, would have been to mobilize the forthcoming General Assembly session and might even have resulted in the world body's breakup.

Since Washington rightly agreed that an operating United Nations is indispensable in this troubled world, America decided to cease defending a position which, however much might be said in its favor, was no longer practical.

This leaves the world body facing two problems:

The first is immediate. It is how to make up the $108 million deficit due in large part to the refusal of these 13 lands to pay their debts. It is hoped that voluntary donations will do the trick. Britain and the Scandinavian countries have offered $18 million. Nigeria has announced that it will contribute. There is a strong hope that, under the cloak of voluntary action, Russia will contribute substantially. America itself may also do so, even though it pays nearly one-third of the United Nations' regular budget.

The second is long-range. Will the decision not to try to force all countries to pay their share of peacekeeping operations discourage such operations in the future? This would be a severe setback to those who had hoped to see the world body become a strong, on-the-spot force for peace and order. Means should be found not to let this happen.

In judging the actions of those nations which refused to support the American position, it should be remembered that the majority of the new members from Asia and Africa are terrified of a knockdown, dragout struggle within the United Nations between America and Russia. Thus one of their main purposes invariably is to seek to prevent a head-on clash between these two giants. They refused to support an American action which they felt might drive Russia from the world body. They would similarly have refused to support a like Soviet maneuver against the United States.

This conciliatory attitude may have its drawbacks, but it also can be advantageous to the United Nations in times of serious crisis.

[From the New York (N.Y.) Journal-American, Aug. 18, 1965]

NEW U.N. POLICY

Announcement that the United States has abandoned insistence that the Soviet Union pay its arrears in special assessments in the United Nations, or lose its Assembly vote, is not, as might first be supposed, a surrender.

Rather it is a statement of a new U.S. policy which recognizes realities, and which, if followed in deed as well as in letter, should protect American interests in the changing and changeable world organization.

The policy was skillfully outlined by our U.N. Ambassador Arthur J. Goldberg in his first speech since he succeeded the late Adlai E. Stevenson. In brief, it makes these points:

The United States continues to support article 19 of the U.N. Charter, under which members 2 years behind in paying assessments lose their Assembly vote. The Soviet Union, with $52.6 million in arrears, is the biggest holdout.

But the United States recognizes that the Assembly is not prepared to apply article 19. In the interest of getting the Assembly back in business (it has been immobilized over the issue), the United States will accede to the majority view.

Here comes the big "but." "There can be no double standard among members." Therefore, the United States reserves the right to refuse to pay assessments for U.N. operations that are considered contrary to our interests.

Never before has this statement been made. We have always paid assessments for special operations and, needless to say, have kicked in the most.

Also, needless to say, it is to be hoped that if an occasion comes up where an operation is against our interests we will demonstrate that we mean what the policy statement says.

It is time to stop shifting into positions that put Uncle Sam in the guise of genial Uncle Sap. Let's stick with this one.

MANNED ORBITAL LABORATORY—MOL

Mr. CLARK. I turn briefly to another subject that has to do with a new menace to peace in the world. It is known as MOL or the effort to organize outer space for military purposes.

An exceedingly able commentary on the new arms race in space appeared in this morning's New York Times under the byline of Harry Schwartz.

I ask unanimous consent that the article may be printed in the RECORD at this point.

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

MOL: THE NEW ARMS RACE IN SPACE

(By Harry Schwartz)

President Johnson's order to the Air Force to develop a manned orbiting laboratory (MOL) has provoked relatively little public discussion, in part because its announcement was overshadowed by the historic flight of Gemini 5. But historians may yet conclude that politically and militarily this Presidential decision was even more important than the Cooper-Conrad feat.

The President's MOL announcement came at a time when the Soviet Union was publicly attacking Gemini 5 as primarily a venture in military espionage. Just why the President chose precisely that time to supply the Russian propagandists with supporting ammunition is still a puzzle.

OUTLOOK FOR JOINT EFFORT DIM

Moreover, by underlining the potential military significance of space, the President may have finally ended any last lingering hope that there might be a joint Soviet-American program for sending a man to the moon or to some more distant objective in the solar system.

Most serious is the indication that the Soviet Union and its allies have interpreted the MOL decision as the American signal for an arms race in space.

Immediately after the Presidential announcement, several Eastern European newspapers warned that the Soviet Union could hardly fail to try to get similar military capability in space. Then last week the deputy commander of the Soviet rocket troops denounced the MOL as a means of bringing American atom bombs into space.

ARMS RACE INEVITABLE

One school of thought argues in effect that an arms race in space was inevitable from the beginning. It holds that the Soviet program has always aimed at maximum military space capability, and that the United States has been delinquent in delaying its own response so long.

The tight secrecy surrounding the Soviet space effort lends some credence to this argument, but, in the public domain at least, it is the United States that has now become the

first to declare it wishes to develop an extraterrestrial military capability. Those who would have preferred a longer effort to keep space as a zone of peace can question whether the arms race now starting may not detract from American security, rather than increase it.

Now the United States and the Soviet Union regularly have camera-equipped satellites in orbit. These supply Moscow and Washington with enormous amounts of information about what is going on above ground all over this planet. This is the practical realization of President Eisenhower's old "open skies" proposal. The United States is the net gainer in this exchange.

Air Force proponents of the MOL have argued that this line of research will ltimately permit this country to inspect and destroy hostile satellites such as the Soviet spy sputniks. But by the same token similar Soviet development will permit Soviet spacemen to destroy the American automatic cameras in the sky. Then when all unmanned espionage satellites have been made inoperative, the question will arise of trying to force the other side's manned craft out of space, since these vessels will also be equipped for both automatic and hand cameras.

In the face of such dangerous possibilities, it is arguable that the United States should have tried to freeze the present situation.

The same problem arises in respect to other proposed military uses of manned spaceships. Thus some Air Force sources speak of using such craft as space command posts to direct military operations on earth. But will not such command posts be prime targets of enemy space vessels in the event of terrestrial conflict?

ALTERNATIVE SUGGESTED

These reflections suggest an alternative path. There are many nonmilitary uses for a manned orbiting laboratory that could serve the needs of astronomers, meteorologists and other scientists. Would it not have been better for the National Aeronautics and Space Administration to have been given the MOL assignment and thus avoid the provocation and propaganda setback represented by the decision the President actually took? And once a NASA MOL were developed, it could be used by the military if the need arose. That need would presumably be evidence that the Russians or others were actively exploiting space for military purposes other than intelligence collection. Such a course might have kept Washington from bearing the onus of seeming to start an arms race in space, while giving more time to exert pressure on Moscow for cooperation rather than rivalry in the new dimension of human activity.

Mr. CLARK. I should like to state publicly my own agreement with Mr. Schwartz.

We are moving too far and too fast in turning outer space into an arms race with Russia instead of proceeding with more persistence to trying to persuade Russia to join us in internationalism of outer space for peaceful purposes.

WINDS OF CHANGE IN THE SENATE

Mr. CLARK. Mr. President, I turn to another subject and call the attention of Senators to a most stimulating and interesting article which appeared in yesterday's New York Times magazine entitled "Winds of Change in the Senate" by the veteran reporter on Capitol Hill for the New York Times, Mr. Tom Wicker.

As my colleagues know, it has been my onerous task during the several years I have served in the Senate to call attention from time to time of my colleagues and the public to some of the deficiencies in our rules, procedures, traditions, and methods of operating. It is interesting to have the views of this veteran reporter on the same subject.

Mr. Wicker points out that the Senate has changed drastically since 1957, when it was first my privilege to represent the Commonwealth of Pennsylvania in the Senate.

The old times have changed. The old Senate establishment is gone. Democracy is now pretty much the rule in the Senate.

It is true, as Mr. Wicker suggests, that debate has fallen into disrepute. This is perhaps our principal deficiency at the moment.

We are now in a situation in which, as a result of the senatorial elections of 1958, 1960, 1962 and 1964 we have in the Senate a group of 100 excellent Senators prepared to take their equal part in the legislative and oversight functions of the Senate. For one, I am happy to see the changes outlined by Mr. Wicker.

I ask unanimous consent that a copy of the article by Mr. Wicker be printed in the RECORD at this point.

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

WINDS OF CHANGE IN THE SENATE

(By Tom Wicker)

WASHINGTON.—Tradition and myth, like bad oratory, suffuse the gently chilled air of the Senate of the United States. Snuffboxes and open inkwells are still on the desks, some of which date to the beginning of the Republic. There is as yet no blaring amplification system to carry Senators' immortal words to the far corners of the gallery. And even a garrulous ignoramus, spouting the most palpable nonsense, still will be referred to by a colleague as "the distinguished Senator" or "my learned and honorable friend" with scarcely a trace of sarcasm.

So tradition remains in the Senate, from whose recalcitrance George Washington once retreated in "sullen dignity." The myths remain, too, but without much connection to reality. For the Senate is no longer "the most exclusive gentlemen's club in the world" and it no longer is dominated by an all-powerful "inner circle" of southerners and conservatives.

The Senate of the United States is today a mildly progressive legislative body in which the Old South has lost its grip, in which junior Members are playing increasingly important roles, in which the fabled power of the committee chairmen has been scattered, and in which the dominant influences are those of urban, industrialized America, and the President of the United States.

The Senate's legendary dragon—the filibuster—has been exposed as a paper tiger, and its most cherished function—deliberation—is often inconsequential and usually subordinate to votes.

Nothing has shown the change more dramatically, in the session now drawing to a close, than the startling activities of the bright young men who—as myth has it—are supposed to be seen but not heard in the Senate.

When the Democratic majority caucused for the first time this year, Senator JOSEPH TYDINGS, of Maryland, then 36 and just embarking on his first term, closed the meeting with an impromptu speech urging his colleagues to go forth as "united Democrats."

When his father, Millard Tydings, served in the Senate, any freshman of any age who presumed to lecture his elders on anything, particularly their party duties, would promptly have been assigned to the Post Office Committee and shunned like an upstart schoolboy. That is just about what happened to HUBERT HUMPHREY only 16 years ago and it took him at least a decade to recover.

JOE TYDINGS, in fact, already has become a leading figure among the younger Senators, as chairman of a subcommittee on improvements in the judicial machinery and in civil rights affairs. He was one of the principal spokesmen against the defeated constitutional amendment on reapportionment that was the brainchild of the hallowed EVERETT MCKINLEY DIRKSEN.

Senator BIRCH BAYH, of Indiana, 37, and elected in 1962, is an important subcommittee chairman who conceived and steered through the Senate the proposed constitutional amendment named for him, dealing with Presidential disability. Only a decade ago, a Senator so junior could not have dreamed of such eminence, and scarcely could have hoped for a subcommittee of his own.

Senator EDWARD KENNEDY, 33 and 3 years a Senator—with time out for recuperation from his airplane crash injuries—mobilized liberal forces in the nearly successful fight to put a poll-tax ban in this year's voting rights bill. He is chairman of the Immigration Subcommittee. His brother ROBERT, TYDINGS, BAYH, Senator ROSS BASS, of Tennessee—a southerner who broke ranks to vote to end the filibuster and pass the voting bill—all are youthful freshmen who have made important contributions to the Senate this year.

Senator FRANK CHURCH, of Idaho, is more senior but still young. CHURCH, elected in 1956 and now only 41, has become one of the most outspoken of those who are dubious about President Johnson's Vietnamese policy. Many of CHURCH's elders share his views but lack the temerity to speak out.

But it is not only in the advent of young men to prominence that the Senate has changed. Committee chairmen, with few exceptions, are no longer the unchallengeable czars they were when Woodrow Wilson called them the real government of the United States.

In 1957, for instance, bipartisan liberal forces combined to bypass Senator JAMES O. EASTLAND'S Judiciary Committee and put a House-passed civil rights bill directly on the Senate Calendar. The trick has been repeated since; moreover, EASTLAND'S committee on another occasion was given ironclad instructions, by vote of the Senate, to report out a civil rights bill, and did so. During consideration of the major civil rights bill of 1964, its most important titles were given for study to the Commerce Committee, not Judiciary.

It is doubtful if, in the old days, a Commerce Committee chairman would have been offered or accepted jurisdiction over a civil rights bill. The affront to the Judiciary Committee chairman would have been an affront to the system and those who maintained it. Instead, yesterday's affront has often become today's custom.

A veteran employe of the Senate recalled not long ago that when Carter Glass, of Virginia, and Walter George, of Georgia, chaired the Finance Committee, they simply would not permit their bills to be amended on the floor. They had the power to ram the measures through as they came from the committee. Today, Senator HARRY BYRD of Virginia, the chairman, cannot even control the Finance Committee, much less the Senate; a more important figure in its deliberations is Senator RUSSELL LONG of Louisiana, the ranking Democrat, and he thinks nothing of bringing up floor amendments to Finance

Committee bills. As a result, much of the committee's legislation is rewritten on the floor.

Any change that weakens committee chairmen ipso facto weakens southern Senators. That is why another myth—that in the Senate the South has achieved its revenge for Appomatox—no longer has much validity.

It is true that 11 southern Democrats chair standing committees, entrenched by the tenure conferred by the South's one-party system. But today the only really powerful southern chairman is RICHARD RUSSELL of Georgia, who heads the Armed Services Committee and has great influence over the decision to establish, close or maintain prosperity-producing military installations for Senators anxious to provide something for the folks back home.

Senator J. W. FULBRIGHT of Arkansas, has high standing in the Senate because of his worldwide reputation as a student of foreign affairs; but he does not have the political or organizational power to make his word law in his Foreign Relations Committee. Years ago, when it was ruled by Tom Connally, of Texas, he was known literally to shout down upstarts who wanted to offer objections or amendment; moreover, Connally's browbeating went unchallenged.

Senator LISTER HILL of Alabama, for another example, recently had to forgo managing the administration's major bill to provide Federal aid to primary and secondary education. He was the chairman of the Labor and Public Welfare Committee, but he had to step aside because of liberal racial implications of the education bill that would have gotten him in hot political water back home. Not to be able to manage his own bills is a mortal blow to any chairman's prestige.

Senator LONG, the majority whip, did not win his post because he was a southerner but in spite of it. Twelve years ago, a few powerful southerners like RUSSELL decreed the selection of a young Texan named Lyndon Johnson as Democratic leader. This year, RUSSELL LONG had to run hard, trade votes, and win the support of key northern liberals before he could win a lesser post.

What of the so-called coalition of southerners and conservative Republicans? Well, it was EVERETT DIRKSEN who was the key figure in breaking filibusters and passing civil rights bills in 1964 and 1965. The southerners were as isolated in both battles as their forebears at Appomattox.

Then there was the appointment this year by New York's Republican Senator, JACOB K. JAVITS, of the first Negro page boy in Senate history. The long-tenured southerners still have a lot to say about Senate patronage. Yet, when JAVITS made known his intentions to his party leader, EVERETT DIRKSEN, the latter quietly informed the southern chieftains that if they denied the Negro youth the job, JAVITS would make a floor speech about the situation. JAVITS' page boy was quietly approved and the Senate's age-old color line was broken.

But surely, it may be argued, the southerners still have the filibuster when all else fails? That tactic has failed them, too. In 1964 and again in 1965, southern filibusters against civil rights bills were crushed.

In 1964, liberals—not southerners—did mount a successful filibuster against the Dirksen reapportionment amendment—and immediately a lot of the flimflam surrounding the idea of "unlimited debate" was cut away.

In short, it became clear that, if public opinion sustained them, a small group of Senators could balk a piece of legislation; but, if public opinion was sufficiently aroused against them no "little group of willful men" could long sustain a filibuster even on a "sectional issue" like civil rights. And there are few southern Senators who have not learned that on civil rights the public is overwhelmingly on the side of the Negro.

Moreover, time can be expected to remove from the Senate in the next few years such southern stalwarts as RUSSELL of Georgia (67), BYRD (78), and WILLIS ROBERTSON (78), of Virginia, SAM ERVIN of North Carolina (68), SPESSARD HOLLAND, of Florida (73), ALLEN ELLENDER of Louisiana (74), and JOHN MCCLELLAN of Arkansas (69). Olin D. Johnston of South Carolina died this year at 68—to be replaced by the more moderate (on the racial issue) DONALD RUSSELL.

A whole new generation of southerners will soon be moving onto Capitol Hill, bringing an outlook tempered by the changing economic, social, and political conditions of the postwar era.

The impending disappearance of the old-line southern hierarchy is symptomatic of a more far-reaching shift in the Senate—the erosion of power blocs, based on regional and economic self-interest, that once were among the strongest pillars of senatorial rule. Vanishing with the power blocs are hoary stereotypes describing the Senate as the graveyard of liberal legislation and the last stronghold of agrarians in a technological society.

The southerners were a power bloc. So were Members—mostly midwestern Republicans and southern Democrats—of the farm bloc. Western Senators formed a sort of "water bloc" based on their regional interest in irrigation and conservation. Some westerners also operated as a smaller but cohesive "mining bloc."

The bloc leaders, along with committee chairmen and senior members of the opposition party, tended to be older, conservative men from the South and from Republican one-party States. They knew the rules, they had the seniority, and upon them depended the chances of a newcomer for a good committee assignment, a bill he wanted passed, or a post office he wanted built.

The committee chairmen had a vested interest in supporting one another. "Those old chairmen would put their rumps together like mules," a Senator recalled recently. "There they stood in an unbreakable circle, one for all and all for one."

The power blocs also could make simple arrangements through this powerful leadership apparatus to protect each other's interests. Southerners, in the major case, were let alone to handle the Negro problem as they saw fit. Since southerners were many, long tenured and powerful, they had plenty of trading power. As long as a mining- or farm-State Senator satisfied the primary interest of his State—which the southerners eagerly helped him to do—he could go along with the South on civil rights without fear of the voters back home.

Then everything began to change. In the early fifties, national attention awakened to the social and political problem of the Negro (it is just now sensing the economic aspects of the problem). As the full power of the Presidency, the courts, and of most of the press swung behind the Negro cause—it has become almost impossible for, say, a western Republican to support the southern position as a give-and-take matter. One by one, old allies of the South have had to respond to national opinion, which would not let the Negro question remain a sectional matter.

During the same postwar years, a vast shift of population to urban industrial centers and the surrounding suburbs caused a number of other important political effects which have been reflected in the Senate.

The economies of most States have become far more diversified than before World War II. Now, it is no longer enough for most Senators to satisfy one home State or regional interest. They have to play broker among all sorts of conflicting groups and forces within their own electorates. They have to "vote right" on any number of issues.

The fate of the farm bloc illustrates the shift. Cotton, wheat and dairymen nowadays can scarcely agree among themselves on a program for their crops and commodities, so diversified and complex have agriculture and its economics become. Besides, few "farm States" are left; most of them now also have competing urban and industrial interests.

Just as the big urban States usually decide Presidential elections, in more and more States the big urban centers are electing more and more Governors and Senators. Pennsylvania, for an excellent example, is dominated in statewide elections by Philadelphia and Pittsburgh and both its Republican and Democratic Senators, HUGH SCOTT and JOSEPH S. CLARK, are urban liberals. It is hard to conceive of Pennsylvanians ever again sending to the Senate a man like, say, Boies Penrose, the image of stanch Republican conservatism that once dominated American politics.

The population shift, combined with other factors, also has diminished what little party discipline ever existed in Congress. As voters moved from farm to city and city to suburb, the familiar polarity of farm (Republicans) and city (Democrats) broke down. Divisions between "city" and "downstate" still survive but now millions of voters live in the new political climate of the suburb.

Among the suburbanite millions a new homogeneity has developed a political response to instant mass communications and the disinterested ideal of public service, rather than to the old party loyalties. Party distinctions quickly become blurred in such conditions, and the "independent" who "votes for the man" becomes a dominant figure.

As television became a force among such voters, "quiet sell" candidates simultaneously arrived to take advantage of it. Playing up their good looks and sterling character, proclaiming their allegiance first to "integrity in government" rather than to party labels, they have sought to win both Democratic, Republican, and independent votes. The result has been a certain blandness of approach, a tendency to be no more conservative and no more liberal than necessity requires, to ride with the prevailing mood of the electorate.

Thus, in the fifties and early sixties, the Senate came to be populated, first, by men whose political lives depended on the big urban and suburban centers; second, by men largely liberated from the old disciplines of party and single-interest States; third, by Senators who no longer had any logical rationale for submitting to the old Senate power system.

Many of them have no great sense of continuity with the lost past of the Senate, with the pre-World War II era, with the established customs and conventional wisdom of another day. Seniority impresses them only as it represents actual power. They are men of postwar America, impatient with the old and eager to get on with what they see as the new business of a new day.

As such men began to infiltrate the Senate, the final force was added to those which were changing the Chamber's ways. That remarkable mover and shaker from Texas, Lyndon Johnson, became the Democratic leader. He was mainly responsible for the rule that every new Democratic Senator would get at least one first-class committee assignment, shaking the old dominance of committee chairmen over their committees and Senate newcomers. After 10 years, the diffusion of power is beginning to have wide effect.

More important, Mr. Johnson, with his great energy, powers of persuasion, legisla-

tive skill, political sensitivity, and national ambitions, absorbed a great deal of the power of the old leadership group into his own commanding person. Since he was always careful to move slowly, and with deference to princes like Senator RUSSELL, and since—above all—he moved with, not against, public opinion and prevailing social trends, he came by the time of his departure to the Vice-Presidency to be the Senate's dominant force.

When external forces were breaking down the old fiber of the place, Lyndon Johnson was there to gather the threads into his own dexterous hands. But when he dropped them, no one else was there to pick them up. MIKE MANSFIELD, of Montana, the current majority leader, does not even try to command the Senate; instead, he is a conciliator and father figure, who worries over the health and good humor of his flock. RUSSELL LONG has proved too uninterested or too flighty to run the place, and HUBERT HUMPHREY—who might have been a strong leader—is a Johnson lieutenant in the Vice-Presidency. EVERETT DIRKSEN has too few troops, if no lack of skill.

The net effect is that the Senate has become an amorphous place, where every man is more or less for himself and no leader commands the power to make himself master; neither does any group.

There was, for instance, the astonishing brass of Senator DANIEL BREWSTER, a first-term Democrat from Maryland. BREWSTER was designated to preside over the Senate in lieu of Vice President HUMPHREY one recent evening and took the chair, supposedly until 7 p.m., when he had an appointment. At 7:15 p.m., with no replacement in sight, BREWSTER banged down his gavel, cut off the senior and protocol conscious Senator WAYNE MORSE, of Oregon, in the middle of a speech, and adjourned the Senate without a by-your-leave from anyone.

Few Senators would wish to defend WAYNE MORSE' rights to the floor, but in days gone by, BREWSTER'S lèse-majesté would have all but finished him in the Senate. Majority Leader MIKE MANSFIELD, however, smoothed all feathers the next day and BREWSTER came off without even a tongue lashing from the waspish MORSE.

Into such a loosely run Senate, any politically powerful President could be expected to inject himself. When he moved into the White House, Lyndon Johnson needed no urging—and the result is that if he is not again the majority leader in name, he is largely—as before—the Senate's commanding officer in fact.

So now the Senate does respond to national needs, at least as the President defines them. The priorities and prejudices of a controlling group no longer take precedence; the imperative acting on the Senate—partially through the President, partially through its Members—is that of an active, growing urban society.

But the changes in the Senate have not been all for the better. The emphasis now is much more upon action than it is upon deliberation; yet, in many cases, debate is needed as badly. Recently, Members spent several days arguing in infinite detail the silver coinage bill but not for years has the Senate really extended itself for full-scale debate on a searching examination of something so important as national fiscal policy, or international monetary problems.

Similarly, the Senate paid great attention to the politically sensitive matter of duty-free allowances for returning tourists. But dedicated Senate watchers have yet to see as much time, effort, and thought expended on the broader question of the balance of payments.

As for the Senate's great tradition as a watchdog of foreign policy, the role has been all but abdicated in the case of the most pressing foreign issue of the day—Vietnam. Yet it is no secret that many Members are restive and unhappy at the Johnson policy.

What seems to be lacking in the energetic and progressive Senate that has evolved is a real sense of itself as an institution, an idea of its role in national affairs, a general determination not just to act on problems but to bring great educational force to bear on national attitudes and policies.

If the Senate ever had such a conception of itself, perhaps it depended upon the old, powerful, cohesive leadership. That leadership always suspected action, and rose to its greatest heights in deliberation—sometimes long deliberation. But in the social and political conditions of the late 20th century, it will be infinitely difficult for such a leadership to arise again and assert itself.

Times have changed and so has the Senate.

Mr. JAVITS. Mr. President, will the Senator yield briefly?

Mr. CLARK. I yield.

Mr. JAVITS. I must leave the floor to attend a luncheon of the Conference on World Law.

The fact that I am not enrolled in connection with what the Senator has referred to is an oversight.

I wish the RECORD to indicate that I am in accord with the purpose of this historic conference and I am happy to see some leading articles put in the RECORD on it.

I ask unanimous consent to insert as part of my remarks the speech of the Honorable Alex Quaison-Sackey, president of the General Assembly of the U.N. at the Conference.

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

THE UNITED NATIONS AND THE ROLE OF LAW

(By Alex Quaison-Sackey)

There is a commotion in the moral world. Today, it is a question of racial discrimination and apartheid in South Africa where a minority of Europeans are struggling hard to maintain their stranglehold on the majority of the indigenous Africans in utter disregard of human dignity and moral law. Today, it is the war in Vietnam, where a fierce struggle is being waged by the National Liberation Front to gain control over the Government of South Vietnam against the mighty strength of the United States, which claims that it is committed to assist the Saigon regime. Today, it is the Congo which has known no stability and tranquility since its independence 5 years ago because of foreign interference. Today, it is a crisis in the Caribbean where the fear of Communist takeover led the United States marines to be landed on the soil of the sovereign state of the Dominican Republican. Today it is Indonesia conducting a policy of confrontation against Malaysia. Today, it is an armed conflict between India and Pakistan over Kashmir. Today, it is the question of Cyprus. Indeed, we are living in a very uneasy world. Everywhere we see and read of conflicts of ideologies and political principles, conflicts of sovereign states displaying a diversity of economic social and political systems.

It can be said that all these conflicts that are occurring today are not new to man, that throughout the history of mankind conflicts have never ceased. I agree with this contention and I must say that the world before and during the Second World War is not the world of today. In the past, international law conceived as a cluster of rules and principles governing the relations among states could be maintained because of the unwritten acceptance of the fact that such law was maintained and kept into being by the strength of the great powers. Thus, the balance of power and the doctrine of spheres of influence played a vital role in the maintenance of law among nations. Even the League of Nations could not shirk off these doctrines.

Today, the picture is different. Twenty years ago, a major step was taken when the Charter of the United Nations was promulgated. It is true that even in 1945 the role to be played by the great powers otherwise known as the permanent members of the Security Council was vital in the maintenance of peace and security. Indeed, there was an assumption implicit in the charter that it was the great powers who should act in concert to keep the peace. If they had acted during the war to crush nazism and all that it stood for, then it was assumed that they would act together to preserve the peace but, of course, this assumption broke down when the Peoples' Republic of China came into being with the revolution of China and the overthrow of the Chiang Kai-shek government. What is more, the world was polarized into two ideologically opposed camps. Be that as it may, the United Nations had been born and it was soon to become the greatest instrument man has devised to foster international cooperation in every sphere of human endeavor in order to preserve peace and security. Thus, while all these conflicts are going on today, because of the existence of the United Nations there is talk of conciliation, negotiation, arbitration, or compromise, and the virtues of interdependence. The United Nations has become a major instrument of peace. Such optimism is a testimony of the fact that above the strife and clamor of conflicts there still exists a common ground. This common ground translates itself into a common commitment which all governments and all peoples have made to the maintenance of peace and order—a commitment implicit in the acceptance of the Charter of the United Nations.

It is precisely this common ground which makes for the reality of international law and which sustains the work of the United Nations. In my view, the ultimate function of law in international relations must be the maintenance of a basic order among sovereign states which differ in values, goals, and interests except that they share a common objective in international peace and order, permitting all to pursue their policies and to develop their social systems within the limitations of the law, secure in the reliance that the international order will be observed by all states.

The principle of collective security and the doctrine of peaceful coexistence are now basic to the functioning of harmonious relations among states. The fact is that the United Nations now consisting of 114 states soon to be 116 represents different states, peoples of different religions, ideologies, and color; it functions according to a charter whose purposes and principles have been accepted by the member states and thus have become rules of law.

The relevance of the function of law to the work of the United Nations and its organs presents many important aspects. In these remarks I propose to highlight efforts toward the growth and development of international law. But first I want to touch briefly on the role of laws in the day-to-day working of the political organs of the United Nations, such as in the General Assembly and the Security Council. For the popular picture is one of a total irrelevance of law.

Bearing in mind that their main function is to arrive at effective political settlement for current problems, it is remarkable to note the extent of the reliance on principles of law in these organs. On the whole, established rules of procedures are essentially

followed; indeed scholars have discovered a whole new field of parliamentary diplomacy in this respect. Any examination of the work of these organs will show that mingled with statements of political purpose and principle are found—in the representations of diverse viewpoints in private consultations so necessary for attainment of compromise and in the resolutions and solutions proposed—constant references to the principles of the charter and to international law. Now all these instances cannot be dismissed as play acting or as window dressing of unpleasant wares. They represent a clear manifestation of a real concern for the relevance of the law and observance of charter principles. It is well known that experienced officials as a matter of habit tend to base political action as close as possible on applicable rules principles and precedents if only to minimize risks and the provocation of others. Similarly, representatives of States relates the justification and judgment of political action to law in order to induce a responsiveness of those of opposing viewpoints on a similar level. And when the settlement proposed is founded as nearly as possible on principles of law and the charter, this alone provides good practical reasons for support by many member states. The effort is, of course, not always successful. The cut and thrust of debates and the disputatiousness which we see in the work of the General Assembly, is in part due to the difficulty of applying elastic rules and principles of law to concrete and complex political situations in the absence of authoritatively determined facts. And though much ingenuity can be exhibited in finding legal arguments to suit political positions, surely not all arguments are equally convincing, for the meaning of the charter principles or legal rules are not indefinitely elastic.

Besides, it must be recognized that for the most part legal considerations clarify the issues and perhaps in a given case might point to a desirable solution but cannot be substituted for the search of political settlements which would be effectively supported by member states in the effort to insure peace. Let us not forget that in many cases the only point on which many are agreed is that peace is the absence of war or hostilities. On the question of what kind of peace and, in a particular case, what kind of lasting peace founded on charter principles beyond a few generalities, few can afford to be sanguine.

The United Nations is essentially a political body but it has made significant contributions to the development of the corpus of international law. United Nations efforts have been directed toward bringing segments of international relations under regimes of general multilateral conventions. Progress in the field requires the intensive study of State practices, precedents and previous bilateral and multilateral treaties and other material sources of international law. It also requires the willingness of a majority of member states to participate in the conferences convened by the General Assembly for the conclusion of these conventions as well as a readiness to ratify them. The progress so far has been slow but steady. Through the conjunction of the patient and efficient work of the International Law Commission and the general support of member states, we now have the four Geneva conventions on the law of the sea and the Vienna conventions on diplomatic relations and consular relations. In the field of International commercial relations, the United Nations has sponsored conventions on commodities such as sugar, wheat, tin and on international commercial arbitration. The Commission on Human Rights and its subsidiary organs have inspired the conventions adopted by the General Assembly or at international conferences on the status of refugees, statelessness, political rights of women, nationality of married women. More recently following the United Nations Conference on Trade and Development, a United Nations conference has adopted the first general convention on the transit trade of landlocked states.

To these activities might be added the development of the charter principles by interpretation. The charter, as the fundamental law of the Organization, must be constantly interpreted in the light of the rapidly changing conditions of international society. The creative interpretation of the charter to meet the exigencies of the international community might well represent the area of greatest advance and hope for the role of law, comparable to the role of constitutional interpretation in municipal systems.

The International Court of Justice, at the request of the General Assembly, has done very useful work in this area. The political organs of the United Nations—the General Assembly and the Security Council—also have a part to play in the interpretation of the charter, as was recognized at San Francisco. Such interpretations by the General Assembly, for example, are often implicit in the political settlement or judgment of particular cases and have led to important clarifications of such matters as the limits of domestic jurisdiction, the use of force and the principle of self-determination. An outstanding example of an explicit interpretation leading to the establishment of additional procedures for peace enforcement is the uniting for peace resolution. In that case the General Assembly by emphasizing the collective responsibility of all member states which is implicit in the charter, in the face of the lack of agreement within the Security Council, because of the veto power enhanced the peacekeeping capabilities of the United Nations. Such interpretations by political organs derive their binding character and value from the support given to them by the overwhelming majority of member states from all regions and from among the great powers at the time of passage as well as by subsequent conduct. The subsequent history of the uniting for peace resolution and the further question of the applicability of article 19 as regards the financing of action taken under the resolution provides a useful example of the relation of law to the art of political action. Doubts were raised—on legal grounds—concerning the power of the General Assembly to fix assessments to cover these operations. The General Assembly has sought and accepted an advisory opinion of the International Court of Justice on this matter. But the practical consequences of that opinion raising the applicability of article 19 has involved some very shrewd political calculations.

Perhaps, I must speak a bit about the issue of article 19 which made it impossible for the 19th session of the General Assembly to function normally and which in turn, led sceptics to conclude that the United Nations was about to die. In fact the issue was a compound of constitutional problems, financial difficulties, and political stance. It came to a head, because of the United Nations military operation in the Congo which lasted for 4 years. It is true that the operation in the Congo was authorized by the Security Council with a required majority, but then at a certain stage the Soviet Union served notice that since the mandate of the Council was not being properly carried out by the then Secretary General, it would have nothing to do in the payment of such operation. It was the reluctance of the Soviet Union, France, and others to pay for an operation of which they did not approve that led the majority of the General Assembly to refer the question of payment to the International Court. The Court was in fact asked to give an opinion whether expenses incurred for peacekeeping operations like the Congo operation constituted expenses of the Organization within the meaning of article 17 of the charter. The majority opinion of the Court was that peacekeeping expenses are expenses of the Organization. Here, one should pause and ask whether in fact it was judicious to refer such a political question to the Court, and the answer is that since the International Court of Justice is in fact an organ of the United Nations and can give interpretations of the various articles of the charter, such referral was appropriate. Now, when the Court gave its opinion, the General Assembly by a majority vote accepted it, that is to say, they accepted the opinion that expenses incurred for peacekeeping operations are expenses of the Organization within the meaning of the charter. The argument then was (and the United States was a protagonist of this) that if the General Assembly had accepted the advisory opinion then ex hypothesi article 19 should apply. But then it can be argued whether an acceptance of an advisory opinion turns the opinion into law and whether in fact the majority of members of the General Assembly can impose their will on the minority. This was the crust of the problem.

By the end of the 19th session, there existed a consensus that article 19 should not be applied in the particular cases of the United Nations operation in the Congo and the United Nations Emergency Force and this decision has not been taken in ignorance or in disregard of the legal positions of the member states, but was an act of political courage taken in very difficult political circumstances. It is clear that this course was necessary to allow further consideration to be given to the whole question of the financing of peacekeeping operations as a matter of the greatest urgency.

There is another instance in which the International Court has been requested by the General Assembly to give an advisory opinion. This is in regard to the question of South West Africa. The advisory opinion given in 1950 was that the United Nations has jurisdiction over that territory even though the South African Government had refused to enter into an international trusteeship agreement with the United Nations as was done by all other administering authorities under the League mandate, but then the United Nations has been unable to get the South African Government to give up the territory of South West Africa, which does not belong to her in law and in fact. Today, the question of South West Africa is before the International Court of Justice, brought there by African states represented by Liberia and Ethiopia who are seeking a compulsory jurisdiction by the Court that the South African Government has not carried out the purposes and principles of the mandate given it by the League of Nations.

I wish to mention yet another explicit interpretation of great import to contemporary developments. In 1960 in a declaration on the granting of independence to colonial countries and peoples, the General Assembly declared with no objection that the subjection of peoples to alien domination and exploitation constituted a denial of fundamental human rights and is contrary to the charter and an impediment to the promotion of world peace and cooperation. This piece of authoritative interpretation has speeded up the process of decolonization considerably.

Another important aspect of the growth of the role of law through the work of United Nations organs can be found in the formative role of the declarations of the General Assembly and bodies of a similar composition. I refer to such statements of principles as the Universal Declaration on Human Rights, the resolution on peaceful uses of outer space, the resolution on permanent sovereignty over natural resources and parts of the final act of the United Nations

Conference on Trade and Development. The General Assembly is eminently suitable for the articulation of general principles of the international community—after a thorough study of each subject matter. Its composition allows for the participation of all states except the Peoples' Republic of China (which is unfortunate) in the formulation of international law principles, for prior to the 1950's this had been reserved to a certain group of states. Technically, we are assured, particularly by representatives of the older countries, that such declarations are not legally binding. No matter. For these declarations which have influenced the course of international negotiations, have been relied upon—together with traditional international law in the Councils of the United Nations and in the interpretations of the charter. Furthermore, specific rules of law have been and will be distilled from these principles in the form of constitutional and legislative provisions and in bilateral and multilateral treaties. Besides in certain areas, for example, outer space, such a declaration might well represent the only authoritative body of principles for the guidance of states.

In these remarks I have sought to highlight some of the ways in which the United Nations has developed the role of law in international relations. A complete picture would also include aspects of peacekeeping and the effort to achieve political and economic stability by removing such causes of conflict as inequalities among states, the settlement of disputes and the development of the cooperative capacities of states in matters of common concern. For it is only in stable conditions that law necessarily achieves its optimum function.

From all that I have said it must be clear that the United Nations has helped in bringing about some kind of discipline among states. While it is true that member states are influenced to some extent by international law, it is evident that the absence of any sanction or authority to enforce the law makes the law of nations an uneasy law. At best it can be described as moral law. It is in this sense that I must conclude that today what is required is a moral conscience of mankind and this can be found within the United Nations. The United Nations is not a world government, although from letters and messages which I received during my tenure as President of the General Assembly I could sense a growing feeling that the United Nations should act as a government. Of course, the realities of international politics do not allow the United Nations to play such a role, however much we stretch the charter. But there should be a way of investing the organization with more effective authority. If, for example, two-thirds of the majority of member states pass a resolution on any problem then it should be accepted that such resolution should have the force of law. For if we are to build a world based on justice and the moral law, then we shall do well to heed the conscience of mankind as exhibited by the overwhelming majority of the states of this world. We either do this or revert back to the days when the power of the big stick and the flexing of muscles of great powers were the order of the day. But no, we should move forward, we cannot go back. Since all states are now indissolubly linked together by the traumatic changes that have occurred in this nuclear age, we should all work together to preserve peace through moral law or perish.

Thank you.

BIRTH CONTROL

Mr. CLARK. I ask unanimous consent that an article which appeared in the Washington Post on September 10, 1965, under the byline of Eve Edstrom, entitled "Birth Control Aid Is a Right, Says HEW Official." I ask that the article be printed in the RECORD.

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

BIRTH CONTROL AID IS A RIGHT, SAYS HEW OFFICIAL

(By Eve Edstrom)

Birth control services should be available to all parents as a matter of "right," the Federal Children's Bureau chief declared last night.

Katherine B. Oettinger's speech was the most forthright statement that a Department of Health, Education, and Welfare official has ever made on the Federal Government's role in family planning.

It was released here in advance of delivery at a conference sponsored by the informational branch of the firm that marketed the first birth control pill, Enovid.

G. D. Searles & Co's. reference and resource program invited the 200 participants, charged no fees, and paid for 2 luncheons and a dinner during the 2-day meeting at New York City's Hotel Roosevelt.

Using the meeting for a major Federal policy speech on birth control was questioned earlier this week. When Robert C. Cook, president of the Population Reference Bureau, learned about Mrs. Oettinger's plans, he telephoned a protest to a high HEW official. He favored the speech but not the commercial auspices.

But Mrs. Oettinger remained principal dinner speaker. A Children's Bureau spokesman said the conference was attended by the Nation's top public and voluntary health and welfare officials who exchanged information on public family planning services.

Until Mrs. Oettinger's speech, HEW had emphasized population research, and had usually parried questions about Federal support of direct birth control services. They have insisted that it is "entirely a matter of State discretion" whether Federal matching funds are used for family planning.

But last night, Mrs. Oettinger revealed that the Children's Bureau is beginning this year to ask all States for the numbers of persons receiving family planning services. These data will be used to determine whether "additional new approaches" may be needed if existing programs are unable to serve all persons requesting advice.

Mrs. Oettinger said HEW was the appropriate Federal agency to carry forward research, training and service programs in the family planning field. She all but told local public health and welfare agencies to include birth control services.

"The conviction has grown that education and instruction in effective family planning should be an essential component of both the health and welfare agencies responsible for the payment of health services for dependent families," she said.

"For it is the families of the poor who too long have suffered spiritual dejection and demoralization after bearing successive babies without hope of these children being able to achieve their full potential or breaking the cycle of poverty."

Mrs. Oettinger then spelled out the family planning services that could be paid for with Federal matching funds available through the public relief programs of the Social Security Act.

"Such services," she said, "may include inpatient and outpatient hospital services, physicians' services, clinical services, prescriptions for drugs and devices, and other preventative and rehabilitative services associated with a comprehensive program for family planning."

If family planning is a useful tool in providing better health for children and mothers, Mrs. Oettinger declared that "it should be available on a universal basis as a right to parents, without coercion, but with a genuine and sympathetic attention to the needs of each human being." She emphasized that individuals from all faiths should determine freely the family planning methods "morally acceptable to them."

Mr. CLARK. Mr. President, this news story makes reference to the speech made by Katherine Oettinger the day before the article appeared. She is the Chief of the Children's Bureau in the Department of Health, Education, and Welfare. She has made what, to my mind, is an excellent address on the right of all individuals who desire to have the information to be given whatever information is necessary to plan their families. It is, to my way of thinking, a substantial contribution in the war against poverty.

A NEW BEGINNING IN THE DOMINICAN REPUBLIC

Mr. MANSFIELD. Mr. President, I yield myself such time as I desire under the bill.

Acceptance of the OAS plan for peace by both sides has finally cleared the way for a new beginning in the Dominican Republic. That is an achievement of great importance. It is not, however, an end-all for the troubles which have long plagued that unfortunate nation. The problems that existed before the revolution of April 24, exist today. Unemployment is heavy. The city of Santo Domingo, the hub of the country, is piled high with the rubble of bombings, mortar fire, and house-to-house street fighting. People are hungry. Poverty remains the only way of life for the large majority of the Dominican people. Democracy is a promise which remains to be fulfilled.

The new provisional government under Hector Garcia Godoy faces a monumental task. The months ahead need to be used and used well to bring about a national reconciliation. Dominicans now must turn their common efforts toward building a society in which democracy will be meaningful for all Dominicans, where economic opportunity and social justice will be more than a distant promise.

The Institutional Act devised by the OAS three-man group seems to be an eminently fair basis on which to build an effective interim government and to restore order out of the state of chaos which has crippled the Dominican Republic for the past 4 months. It is under this act that Hector Garcia Godoy, a mutually acceptable provisional president, has been appointed. He has designated, in turn, a cabinet to serve his government. Free elections, supervised by the OAS, will be held in 9 months. All parties are to suspend political activities for 6 months, that is, until 3 months prior to elections. Human rights are to be guaranteed the Dominican people.

In addition to the Institutional Act, the OAS Commission has also induced both sides to accept the terms of an act of reconciliation, which provides for a general amnesty of all political prisoners; the absorption of rebel territory into

the Inter-American Zone of Security; maintenance of the zone for 30 days unless the President requests an extension; submission of all arms to the provisional government; return of all military forces to their barracks; reintegration without penalty of all troops; and negotiations for the withdrawal of the Inter-American Peace Force.

The design and plan of these two acts is a reflection of the outstanding work of the OAS three-man Commission in trying to work out a mutually satisfactory solution to the paralysis which has gripped the Dominican Republic since last April. Our own Ambassador to the OAS, Ellsworth Bunker, along with Brazilian Ambassador Ilmar Penna Marinho and Ramon de Clairmont Duenas of El Salvador have earned the respect and the admiration of the entire Inter-American community for their patience, their understanding and persistent and unbiased diplomacy in providing their good offices to all parties, and for suggesting solutions to bring relief from the internecine warfare. In this Nation, we owe deep thanks to Ambassador Bunker and his colleagues for their wise and tireless efforts to convert this situation into one amenable to peaceful solution.

But their work is only a beginning The peace is an uneasy one. Suspicions and fears and bitterness run deep. Hostilities could break out again at the slightest provocation. Whatever success the Garcia Godoy government eventually may have will depend on the restraint, the patriotism, and the willingness of leaders on all sides to give their nation a chance to live in peace and harmony.

With acceptance of the plan for peace by both sides, it is possible for the Dominicans to turn to the difficult job of establishing a solid base for a full-scale effort to develop the country, economically and politically. With that base, there is reason to hope that continued cooperation on the part of this Nation with and through the OAS can be helpful in bringing about an economic and social recovery in the Dominican Republic.

Mr. President, I yield 5 minutes to the Senator from Iowa [Mr. MILLER] on the bill.

MORAL REARMAMENT

Mr. MILLER. Mr. President, in the August 28 issue of the Mason City, Iowa, Globe-Gazette there is an editorial entitled "What They're for, Not Against," which merits the attention of readers of the CONGRESSIONAL RECORD.

This article discusses the program for young people sponsored by Moral Rearmament Demonstration for Modernizing America in Mackinac Island, Mich., this past summer.

This is the same group which produced the hour-long show "Sing Out, 1965," which had a Washington showing recently, and which shortly will appear in the Hollywood Bowl, and then go to Asia for showing.

This is a very stimulating program. It is much needed today, particularly in view of some distortions that exist in the minds of people in other countries regarding the attitude of young people in the United States.

I ask 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:

WHAT THEY'RE FOR, NOT AGAINST

There was a big demonstration the other day up on Michigan's Mackinac Island.

More than 3,500 young people from 51 nations didn't make the headlines, however. They demonstrated quietly—not only what they are against, but also what they are for.

It was the Moral Rearmament Demonstration for Modernizing America. Some 350 colleges and schools participated, attracting interest from abroad.

Taking issue with the advocates of moral and military pacifism, noninvolvement, atheism, and the so-called new morality, these youth believe their generation is called on to pattern a society that works. In other words, to match man's tremendous technological growth with a growth in maturity, aim, and character in man himself.

Speaking at this Mackinac demonstration, J. Blanton Belk, U.S. Director of Moral Rearmament, put it this way:

"Youth is being confronted today with the alternatives of being communized, animalized, or modernized. Our purpose is to produce modern men and women who will demonstrate in their own lives the answer and formulate concrete plans and action for tackling the knottiest problems of our times.

One reason we have had riots on the American campuses is because no one has challenged young America to take on creating the right revolution in the whole world. We believe that a new generation can be trained with the character-toughening, problem-solving, nation-saving skills that this age demands."

It's a challenging concept. It sounds good.

COST OF LIVING

Mr. MILLER. Mr. President, the news media in the past few days have focused attention on a problem which I have long felt should be the subject of a public discussion.

For too long, the questions of the increase in cost-of-living and the inflationary pressures have been downgraded by too many Government officials and so-called experts.

On Monday, September 6, the Washington Post carried the Harris survey, which underscored the concern of the housewives on the cost-of-living increases.

But it took an astute editorial writer for the Washington Evening Star on September 8 to pinpoint the causes. In doing so, this writer ably put the skids to the favorite argument that the farmer is to blame for the rise in food prices.

The writer declared:

To blame the farmer for all the inflation is manifestly unfair. According to Government figures, farmers last year received only 37 cents on every dollar spent at retail counters for food.

The fact is that the cost-of-living index is computed from a list of some 300 goods and services ranging from refrigerators to haircuts, along with food. To say that farmers are prospering at the expense of city dwellers is to ignore the costly contracts that have been negotiated in auto, aluminum, steel, and other industries in the past year. These are the basic industries that pass on to the whole economy their inflationary settlement.

The housewife may not notice their impact every Friday on her shopping list, but before we impeach the Iowa and Texas meat producers, let's keep in mind that inflation, like termites, usually attack from several directions.

In the current issue of U.S. News & World Report, an article points out that by 1970, the dollar will be worth about 40 cents. And, it warns:

If inflation speeds up, to erode values at a faster rate, the 1970 dollar readily could be worth even less.

It should be stressed that inflation hurts those who can least afford it—those living on pensions, social security payments, and the like. When the value of the dollar, based on 1939, has sunk below 44 cents, as it stands today, the impact is deeply serious.

A superb analysis of the effects of inflation was made by R. K. Bliss, of the extension service of Iowa State University at Ames. I think it merits reading.

I ask unanimous consent that the following articles be placed in the RECORD:

First. "Cost-of-Living Rise Brings Criticism From Housewives," from the Washington Post of September 6.

Second. "Meat Counter Blues," from the Washington Star of September 8.

Third. "Thrift and Progress," transcript of a radio talk by R. K. Bliss, September 3.

Fourth. "Is Your Dollar in Trouble Again?" "Outlook for Inflation—What To Do About It," from the September 20 issue of U.S. News & World Report.

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

[From the Washington Post, Sept. 6, 1965]

THE HARRIS SURVEY—COST-OF-LIVING RISE BRINGS CRITICISM FROM HOUSEWIVES

(By Louis Harris)

The cost of living is now emerging as a storm that could upset the relative tranquility of consensus that President Johnson has so carefully wrought in the domestic economy. The Nation's housewives are nearly unanimous in their view that the cost of living has risen in the past year—and they do not like the trend.

They are right, of course, in believing that the cost of living is going up. The Bureau of Labor Statistics reports that it went up 1.9 percent between June 1964 and June 1965. And the complaints of women about the increase in the cost of specific items reinforces the idea that they know what they are talking about. In those areas in which they handle most of the family's expenditures, their complaints about which items have gone up the most almost match in proportion the categories where the increases have been the greatest.

The potential political dynamite in the cost of living lies in the fact that, by nearly a 3-to-2 margin, women shoppers believe that increases can be avoided. Since 87 percent of all women think the cost of living is going up, this provides a margin of dissatisfaction that could spell trouble for political leaders.

Following is a table of items which a cross section of the Nation's housewives cited as

having gone up the most in the past year, compared to the latest Government figures. The 87 percent of the women who believe the cost of living has gone up were asked:

"Which items do you feel have gone up the most?"

Items that have gone up the most

[In percent]

	Housewife complaints	Consumer price index rise
Meat	46	+9.9
Vegetables and fruit	38	+4.7
Cereals and bakery products	32	+1.6
Clothing	20	+1.1
Other food	8	+.2
Dairy products	7	----------
Utilities (gas, electric)	3	−.2
Transportation	1	+1.8
Medicine	1	+2.4
Rent	1	+1.8
Personal care	1	+1.7
Household furnishings	1	+.2

NOTE.—Complaints total more than 100 percent because some mentioned more than 1 item.

Two facts are immediately apparent. First, it takes only a slight rise in the cost of an item to cause large numbers of women to single out that product as one in which prices have gone up. Second, while the areas in which they spend most of the family's budget—food and clothing—are the particular target of housewife complaints, transportation, medicine, rents, and personal care—which have increased close to the overall average of 1.9 percent—have escaped public awareness.

But the views of the women about rises in prices have established some firm opinions which have serious implications. In order to pinpoint where the blame is being leveled, the cross section was asked this question:

"What do you feel is the main cause for the rise in the cost of living: farm prices, wage increases, middlemen, Government spending, too high profits or what?"

Causes of the rise in cost of living

[In percent]

	Total housewives	Income group		
		Under $5,000	$5,000 to $10,000	Over $10,000
Middlemen	30	35	34	19
Wage increases	25	17	22	41
Government spending	22	22	18	31
Too high profits	7	5	8	7
Farm prices	4	4	4	2
Not sure	12	17	14	--------

Nationwide, the middlemen—primarily food processors, wholesalers and retailers—are the No. 1 target. But the pattern differs sharply by income groups. Lower income women tend to worry most about middlemen costs and are least critical of wage increases as inflationary pressures. In contrast, upper income women place the blame primarily on union demands, and secondly on Government spending. Obviously, there is a relationship between their views and their husbands' occupations.

A real question which economists pose about an economy such as ours, which is growing at a rate of over 6 percent a year, is whether consumer price rises are inevitable. The housewives of the Nation tend to say no. They were asked:

"Do you think that rises in the cost of living are bound to happen or do you feel they can be avoided?"

Are price rises inevitable?

[In percent]

	Bound to happen	Can be avoided	Not sure
Nationwide	33	46	21
By size of place:			
Cities	31	50	19
Suburbs	48	39	13
Towns	20	59	21
Rural	33	35	32
By income group:			
Under $5,000	11	68	21
$5,000 to $10,000	40	40	20
Over $10,000	34	52	14

The political impact of the issue could be potent, and it now appears to be looming up as a storm center of major magnitude.

[From the Washington (D.C.) Star, Sept. 8, 1965]

MEAT COUNTER BLUES

If Lyndon Johnson had to run for office today—and there's a school of thought that claims he's always running—the cost of living might well rank as a major domestic issue.

Housewives are griping. The Consumer Price Index has hit a record 110.2 percent of the 1957–59 (Eisenhower GOP era) average. And although such general factors as auto insurance and homeownership costs help account for the rise, food prices seem to be the scapegoat since they pose an immediate, conspicuous target.

To be sure, the farmers are having a wonderful year. Gross farm income is at a record peak of $43.3 billion, net income will total an estimated $13.5 billion in 1965, highest in 12 years, and the prices for beef and pork are bringing smiles to the growers.

At the retail counter, however, it's another matter. A recent poll of housewives found that 46 percent of complaints about the general cost of living centered on meat prices, with other equally important items such as rents and transportation trailing far behind.

Yet, to blame the farmer for all the inflation is manifestly unfair. According to Government figures, farmers last year received only 37 cents on every dollar spent at retail counters for food. Middlemen accounted for the rest.

The fact is that the cost-of-living index is computed from a list of some 300 goods and services ranging from refrigerators to haircuts, along with food. To say that farmers are prospering at the expense of city dwellers is to ignore the costly contracts that have been negotiated in auto, aluminum, steel, and other industries in the past year. These are the basic industries that pass on to the whole economy their inflationary settlements.

The housewife may not notice their impact every Friday on her shopping list, but before we impeach the Iowa and Texas meat producers, let's keep in mind that inflation, like termites, usually attacks from several directions.

THRIFT AND PROGRESS

(Radio talk by R. K. Bliss, extension service of Iowa State University, Sept. 3, 1965)

Thrift is almost a forgotten word in our present-day vocabulary. It was not always that way. Older people, especially those in their seventies, and eighties, had a good training in thrift, but what about the training of our young people now?

Today I would like to visit with you for a little while about the importance of thrift. To begin with, thrift does not mean miserliness and parsimony. Thrift means economical management, frugality, care and wisdom in management and intelligent use of our resources. Thrift is the opposite of wastefulness and extravagance. People that follow thrifty ways are self-reliant, prosperous, the strength of the Nation.

I am led to discuss thrift with you today because of the really tremendous effort that is being made over TV, the radio, in newspaper and magazine advertising and also by letter and handbill urging people to spend. Through various ways people are urged to buy now, pay later with only a small downpayment. Much of this advertising is for products of doubtful value such as pills to make you feel better fast, pills to put you to sleep, pills to stop a headache, pills to cure a cold, pills to allay pain, etc., and sometimes even pills to keep you awake.

Also, an amazing array of cosmetics and tonics to improve your looks, make you look younger, take the gray out of your hair, or change it to any other color, banish bad odor, provide a milder better cigarette to smoke, etc., all of which are of no real value to the individual. I suggest that some evening you take paper and pencil and keep a record of the ads that appear on your TV set; better still, if you keep a record for a week. It is amazing the effort that is being made to sell things of no particular value to the individual and most of which are actually of little or no real value to anyone.

A great effort is being made to get people to spend but we hear very little about thrift. Banks, building and loan associations, insurance companies and the urge given to selling U.S. E and H savings bonds are small voices crying in the hullabaloo of voices urging people to spend.

Why does this country have the billions of dollars that are being sent overseas to less prosperous people? The answer is clear. It is because of the thrifty savings of our people. The hardy early settlers who crossed the Atlantic Ocean in crowded little ships (no one would make the trip in such ships now) in order to get away from the tyranny of dictators and kings brought with them habits of thrift, of self-reliance, and of saving. It is the thrifty ways and teachings of our forebears and the pioneers that enabled this country to build a prosperous civilization and also to send billions of dollars in money, goods, and services to less prosperous people in other lands. It is the thrift of ordinary people who thought savings in banks, building and loan associations, U.S. bonds and other bonds, insurance, etc., that has made this possible.

It has been said that it is the natural resources of this country that have made our wealth possible. It is, however, something else in addition to natural resources. There were people living in what is now the United States hundreds—perhaps thousands—of years before the Pilgrims arrived. Other countries, South America and Africa, for example, have remarkable natural resources. The something else, it appears, is the willingness to work, to be thrifty, to save for old age and for a secure future. Also our free enterprise, universal education, free-choice-of-occupation system which has removed manmade restrictions and encouraged individual effort has been an important factor. These are the principal qualities that have made the United States outstanding in increase of wealth and well-being.

We now appear to be developing a philosophy in this country that we can spend ourselves into prosperity. Necessary adjuncts and supports for this philosophy are easy money and inflation or the decrease in the purchasing power of the dollar. Our wealth-measuring device—the dollar—changes in value. For example, suppose in 1940 you put away $1,000 in a bank or in bonds including E and H savings bonds, or you might have lent it to a neighbor. Now 25 years later, the original $1,000 that you laid away

for your old age will purchase less than $500 of the things you need and want. More than half of the original value has been lost through inflation or the decrease in the purchasing power of the dollar or the increase in the cost of living, which now are polite ways of calling attention to inflation.

Inflation is a cruel tax on older people; it decreases the value of money laid away for old age. But instead of correcting the principal difficulty, inflation, the Government now begins collecting additional taxes and developing new programs to pay back part of what has been taken away from the savings of older people through inflation. This means more expense, more machinery, more centralized control. Inflation is, of course, also a tax on all thrifty people of any age who save in order to provide for their future well-being.

All will agree that people in need, especially old people, should be cared for; but the number who need care would be greatly reduced by having a wealth-measuring device that remained stable. Let us see what stabilizing the purchasing power of the dollar would do for older people and, of course, this would apply to all thrifty people who are saving for the future.

According to estimates there are now about 18 million people in the United States who are 65 years old or older. Let us assume for the sake of the illustration that these 18 million people will each on the average spend $1,500 for food, housing, clothing, church, entertainment, travel, and other things during the year. One thousand five hundred dollars is used because according to reports, the Government sets $3,000 a year as a minimum to keep a family out of poverty. If so, these 18 million oldsters will spend $27 billion during the 12 months. A 2-percent inflation or a 2-percent increase in the cost of living as we appear to be headed for this year will decrease the purchasing power of $27 billion by the huge sum of $540 million. If this goes on year after year as it has in many past years, you can see what it means to the savings of old people—and, of course, the same applies to all savings. To the extent that the dollar, our wealth-measuring device, is reduced in value by inflation, all savings are reduced correspondingly and public and private debts are also repudiated to that extent. What this country needs is a wealth-measuring device that is stable.

Inflation is a tax on thrift. Inflation discourages saving. Why save money today if the money you save today will buy less tomorrow? Inflation discourages thrift.

Inflation is a severe handicap to thrifty young people who are trying to get a start in business. It often takes years to save enough money to buy a farm or start a business. Inflation lowers the value of the money saved and at the same time increases the cost of the property or business to be bought. Thus young people saving money to get started in business or to buy a farm get soaked going and coming and may have to settle by working for someone else. Inflation works to the disadvantage of the small operator.

Speculators, people who study business trends and who buy today with the expectation of a rise in dollar values, are the principal beneficiaries of inflation. Inflation makes many millionaires and also a considerable number of bankrupts. Inflation is mostly paid for by reducing the value of the savings of thrifty people.

What can be done about it; how can the dollar be stabilized? One plan that has not been really tried since World War II, during which time the purchasing power of the dollar has been cut in half, would be for Congress to balance the Federal budget. When Government spends more than it collects through taxes, it has to borrow and under banking rules, borrowing increases the amount of money in circulation far more than the amount borrowed.

A family that continually year after year borrows more money than it earns is headed for serious trouble. A nation is a collection of families and by the same reasoning it, too, is headed for trouble when it continues year after year to spend more than it collects in taxes.

The country needs to remember the thrifty ways that made it great. A resurgence of thrift, wise management is needed in homes, businesses; and especially in Government—Federal, State, and local—it is greatly needed.

[From the U.S. News & World Report, Sept. 20, 1965]

IS YOUR DOLLAR IN TROUBLE AGAIN?

You hear it on all sides now—

People are complaining about high and rising prices. Just about everything seems to cost more.

This is known as creeping inflation. This erosion of the dollar promises to go on and on.

Not only are prices higher, but also there are more things to buy, more demands on paychecks.

It's true that pay is up too—for most people. But higher pay doesn't stop the grumbling over prices. Question: Is the dollar in real trouble?

Grumbling about the high cost of living is beginning to be heard from one end of the country to the other.

This grumbling is a sign that the dollar is in trouble again—its purchasing power eroded at a rising rate by the pressures of inflation.

Housewives complain about the shrinking supply of groceries that a $20 bill will buy. Families worry about the high and rising price of shoes for children going back to school.

Autumn is a time to buy winter clothing, and many items of clothing cost more.

Paychecks, it is true, are growing larger for most people. The rise in pay, overall, is greater than the rise in cost of living. And food costs, about which housewives complain most, still take less of the weekly paycheck relatively, than in years past.

Yet the grumbling grows.

The public, it seems, wants more and more of the luxuries of life and is more and more irritated by the fact that each of the rising number of dollars in pay gradually will buy less in the way of goods and services.

Vacations, people find, cost more. Color TV is something new to own. Demand is for more and more extras on cars.

A flood of youths is entering the Nation's colleges, and inflation of the costs of such higher education goes on year after year.

Now there is to be an increase in taxes to support social security.

In addition, real estate taxes rise year by year. Sales taxes are in an upward creep in States and localities.

As dollars buy less, everybody wants—and often demands—more dollars.

Yet, as pay goes up, it follows that wage costs to business tend to rise.

Soon business is under pressure to raise more prices in order to maintain profit margins.

The pay raise now taking place in the basic steel industry under terms of a recent contract settlement is expected to be followed by selective increases in the price of of steel and of steel products.

So the prospect is that wage costs will go on rising and prices will go on rising, and dollars gradually will buy less and less.

This is what is known as creeping inflation. More dollars are required to buy the same amount of goods and services.

[From the U.S. News & World Report, Sept. 20, 1965]

DOLLAR IN TROUBLE?—OUTLOOK FOR INFLATION—WHAT TO DO ABOUT IT

A 44-cent dollar now, compared with 1939—and experts are predicting further shrinkage as price inflation speeds up.

How can one guard against an eroding dollar? Is there a way to protect income, savings? Here are things to do—and avoid.

Erosion of the dollar's buying power is picking up momentum again.

The dollar in recent years has been losing value at about half a cent a year. In the year just past that rate increased to nearly a full cent a year. Right now it gives signs of losing value at an even faster pace.

A creeping inflation of prices of many goods and services that enter into the cost of living is the reason. That creep now is faster. It is back to the rate of the late 1950's.

Few economists seem to expect the creep to turn to a fast walk or to a trot, but the trend is there as it has been for more than 30 years.

A wage rise in steel, likely to result in some price rise, confirms the trend.

Dollars, in other words, seem sure to go on losing value in terms of things that people buy. The only question seems to be whether the rate of loss will speed up.

TODAY'S DOLLAR: 44 CENTS

Today's dollar actually is a 44-cent dollar compared with the 100-cent dollar of 1939, when measured in terms of the cost of living. By 1970, that dollar will be worth about 40 cents even with slowly creeping inflation. If inflation speeds up, to erode values at a faster rate, the 1970 dollar readily could be worth even less.

This trend is important to the investor, to the person thinking of retirement, to many jobholders, and to those thinking of careers.

Pay on some types of jobs tends to lag behind the rising trend in prices. Pensions in many cases do not go up as living costs go up. People who save and invest in fixed-income investments such as bonds find, with time, that inflation eats away at the buying power of the principal amount of dollars saved.

With inflation in the air once again, it becomes useful to have an estimate of how fast that inflation—and the erosion of the dollar's value—will become.

To get that estimate U.S. News & World Report sought the opinions of some of the Nation's top economists.

NO SNOWBALLING

Paul Samuelson, economics professor at Massachusetts Institute of Technology and an adviser to President Johnson, expects some increase in the rate of erosion of the dollar's buying power, but no snowballing, cantering inflation.

Professor Samuelson notes that more and more companies are producing close to capacity in order to meet strong demand from customers. "Under these conditions, firms can raise prices and increase their sales at the same time," he says.

From Beryl Sprinkel, vice president and chief economist of Harris Trust & Savings Bank in Chicago, comes this prediction: "We face the biggest gain in the cost of living in years. Consumer prices, on average, will climb 2 to 2.5 percent in the year ahead. Wholesale prices may go up 2 percent or more. This amounts to a significant acceleration over the rate of the past year or two."

A strong boom in business stretching well into next year is contributing to upward pressures on prices, as the Chicago economist sees it. He adds:

"There is not much slack in the economy now, order books are full and the expectation is that business will get better. That

sort of environment is conducive to price increases."

SERIOUS PRICE PRESSURES

The sudden shift to higher military spending related to Vietnam is seen exerting an upward push on prices by Dan Hodes, economist for General Telephone & Electronics Corp. "Over the next year and a half these price pressures will be more serious than at any time since 1957," comments Mr. Hodes.

But barring a major blowup in Vietnam, requiring arms spending at the rate of increase during the Korean war, none of the economists expects that the United States is heading for an inflationary binge.

NO SIGNIFICANT INFLATION

Says Jules Backman, economics professor at New York University:

"Government spending is going up, but so are revenues. Labor costs now are rising faster than output per man-hour, and this will add to business costs. But remember that competition is intense in this country. In many cases, higher costs will have to be absorbed by firms, lowering their profit margins.

"There will be continuing modest erosion of the dollar, but no significant inflation."

Professor Backman, an authority on prices, was asked his views on the impact of selective increases in prices of steel. His answer: "Steel-price increases will have much less effect on the overall cost of living than a rise of a penny a loaf of bread, a penny a pack of cigerettes, or a penny a gallon of gas."

A similar view of only moderate shrinking of the dollar's purchasing power in the year ahead is voiced by Martin Gainsbrugh, chief economist of the National Industrial Conference Board.

Significantly, however, note that from all sides come predictions of a cheapening dollar, with differences only on the amount of cheapening that is likely to take place.

Against that background, what can an individual do to safeguard his income and his savings? Is there an "inflationproof" protection plan to follow in a period when the value of the dollar is going down?

HOW TO HEDGE

Experience shows that there is no surefire way to avoid the effects of price inflation that whittle down savings. But there are some points to keep in mind when planning for the future. For example—

A job

Best defense against the declining value of the dollar is a steady job. Most wage earners and salaried people improve their lot. The reason: Paychecks generally rise faster than prices.

Take the typical factory worker. His hourly earnings have risen more than 40 percent in the past 10 years—just about double the rise in consumer prices over that period.

This means that the worker's real income—his ability to buy today's goods and services at current prices—has risen rather sharply, pushing living standards of the worker upward.

A home

Owning a home, in most cases, can be a valuable form of inflation protection. Value of real estate in good neighborhoods in cities and suburbs has gone up faster than the cost of living.

But note this: Rising home values are not guaranteed. Neighborhoods can run down. Industry, the lifeblood of a community, can move to a new location. The home of a transferred worker can become a glut on the market, can be the source of a loss—not of a gain—to the seller.

A business

Owning a small business can be a worthwhile investment in a period of rising prices. Assets of a business tend to increase in dollar value as the general price level goes up.

But don't rush into setting up a business. Stick to a field you know something about. Be sure to have enough capital behind you to tide you over rough spots that are sure to crop up. Keep in mind that lack of adequate capital or insufficient know-how causes the great majority of new businesses to fold within 5 years after they open their doors.

Common stocks

Here is one investment spot to put your money that usually offers a good chance of keeping ahead of inflation.

Common stocks generally rise in value in times of inflation. Stock prices, on average, have nearly doubled in the last 10 years, while consumer prices have increased by only about 20 percent.

There is this note of caution: Not all stocks go up in value even in a strong bull market. And remember that "nobody buys the averages"—meaning that it's the performance of individual issues that count. Stock-market averages lately have been pushing into near-record highs. But in a recent week, for every three individual issues that hit new highs for the year on major New York stock exchanges, one stock slumped to a new low.

It's a question of picking the right stock for a long-term investment.

A farm

Mushrooming population, pushing cities and suburbs deeper into the countryside, has helped push farmland prices up faster than the general level of prices.

This trend is seen continuing around big population centers as more and more land is gobbled up for housing subdivisions, highways and shopping centers.

It's not necessarily all gravy. A farm, unless run properly, can lose money in a hurry. And there are real estate taxes to pay every year.

Income property

An office or apartment building that brings in rental income can provide a hedge against a dwindling dollar.

Investors can get burned, however. Speculative building of apartments and office buildings has gotten out of hand in some areas. Vacancy rates have soared in buildings in many places, with the result that owners have had to offer big concessions on rents to try to attract tenants. The hope is that, eventually, the buildings will fill up as population increases.

Resort property

An ocean-side lot, a cottage on a lake, a mountain cabin can offer protection against erosion of the dollar. As incomes go up, and people have more leisure time, demand grows for vacation retreats. But, as with all real estate, choose your site carefully.

Bonds

Owners of corporate or Government bonds do not fare well in times of rising consumer prices.

Dollars put into a bond are paid back in the same number as originally invested. Trouble is that these dollars, after years of rising prices, don't go as far when buying goods and services.

The same is true of interest paid on the bond. Take a bond paying 4 percent bought 10 years ago: Allowing for the steady rise in the cost of living in that period, the "real" return on a bond shrinks to a little above 3.6 percent, rather than 4 percent.

Cash savings

Money in a savings account is in a similar boat with money put into bonds: Dollars dwindle in buying power. Interest paid is eaten into by the mounting cost of living.

Mortgages

Putting your money in mortgages generally offers little protection. Buying power of fixed-value investments shrinks as the general price level goes up.

Works of art

Here is an inflation hedge quite popular with Europeans, but not much used by Americans. Idea is to buy paintings, sculpture, rare books, antiques, in the expectation that these will appreciate in value faster than the cost of living.

Jewelry and gems are another favorite investment among Europeans.

Trouble with these items is that you can make mistakes. Paintings can fall out of favor. Tastes change among art collectors. And money put into jewelry and gems earns no return for the owner while he is waiting to sell at a profit.

Pensions

People living on a pension or fixed income from an annuity usually find themselves losing ground as prices go up. That's why inflation is called the "worst enemy" of widows, orphans, and old people.

Social security pensions, just increased by 7 percent, about offset the rise in the cost of living since the last time pensions were raised in 1959. Difficulty for pensioners comes in the lag between the time that prices go up and the time pensions are raised.

People receiving pensions from private companies, in most cases, are worse off. Unlike social security, higher pensions granted to workers by most companies are not paid to persons already on the retired rolls.

Creditors

People who lend out money, generally speaking, are pinched by price inflation. Dollars loaned out come back in diluted form in terms of what they will buy in the marketplace. Interest charged on the loan helps to offset inflation's inroads, but lenders then find that "real" earnings on their money are less than they counted on.

Borrowers

People who use borrowed money tend to come out ahead in a period of rising prices. Inflation tends to lighten the burden of debts. These debts can be paid off in dollars of declining value.

Debt, thus, can take on new attraction in an era of inflation. Debt of people already is the highest in history, a fact that is worrying some economists. Charges to carry that debt are taking a growing part of people's incomes.

Now, as creeping inflation takes on added speed, economists feel that debt will grow in appeal. As one economist put it: "Whenever prices start moving up on a broad front, there is the danger that the thrifty will become spendthrifts—and do it more and more on the cuff."

That gives you an idea of what a shrinking dollar, in terms of purchasing power of that dollar, can mean in people's daily lives.

NO GUARANTEE

It's important to remember that there is no guarantee of perpetual inflation.

In terms of wholesale prices, for example, these prices held about unchanged for a remarkable period of about 6 years, until they started moving up a year ago.

An unexpected showing in business could change the outlook for inflation. Peace in Vietnam, if it should come, might bring cutbacks in arms spending, tip budget totals for defense downward instead of the other way.

Still, as the economists see it, chances are that prices will continue to creep upward as they have for years past.

That's been the trend for more than 30 years. Economists see no end to it so long

as Government strives to insure perpetual prosperity without ever permitting the economy to slow a bit.

Records indicate that no one can count on coming out unscathed from the effects of a dwindling dollar. But those same records also indicate that the workingman—and the careful investor in stocks, a business, or real estate—stands a good chance of coming out ahead.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of 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.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time for the quorum call not be allocated to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. 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. MANSFIELD. Mr. President, what is the pending question?

The PRESIDING OFFICER. The pending question is amendment No. 435, offered by the Senator from Tennessee [Mr. BASS] to H.R. 9811.

Mr. MANSFIELD. Mr. President, will the Senator from Tennessee yield, without losing his right to the floor?

Mr. BASS. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time for the quorum call to be charged equally to both sides on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BASS. 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. BASS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Tennessee will state it.

Mr. BASS. Under what type of consent agreement is the Senate now operating?

The PRESIDING OFFICER. Under the agreement in effect, 1 hour is allocated to each side of the pending amendment. One hour is under the control of the Senator from Tennessee, and 1 hour is under the control of the Senator from Louisiana [Mr. ELLENDER].

Mr. BASS. Do I correctly understand that my amendment has been called up but that no time has as yet been consumed on the amendment?

The PRESIDING OFFICER. The Senator is correct. His amendment is the pending question.

Mr. BASS. Mr. President, after a somewhat uneasy reentry but successful splashdown, I am happy to be back to call up my amendment today. I appreciate the courtesy of the majority leader in having it made the pending question and for being so patient as to await my return on my delayed trip back from Tennessee.

The effect of the amendment would be to strike section 703 from the pending bill. I interpolate to state that since the original section was placed in the bill, the distinguished senior Senator from Florida [Mr. HOLLAND] has amended that section. I quote the section as amended:

> Notwithstanding any other provision of law, whenever the application of any law of the United States requires determinations to be made of the amount of labor needed for the production and harvesting of any agricultural crop, or of the availability thereof for such production and harvesting, such determinations shall be made by the Secretary of Agriculture and shall be accepted by all agencies of the United States in the carrying out of activities in which such determinations are needed.

This is the section of the bill to which I shall now address myself.

Mr. President, I wish to make it plain that I realize there are some problems existing in the area of farm labor relating to the dual responsibility in certain areas. However, I think these problems should be settled by other legislation or by the courts. I definitely do not think that this major bill, the Food and Agriculture Act, is the proper vehicle on which to tie this trailer. For this reason, I oppose this provision and shall point out some of the confusion which will result if it is retained. I shall also attempt to show why this section should be given much more study and consideration before it is enacted.

This provision was not proposed by the administration. It was not contained in the House bill. It was not contained in any version of the Senate bill considered by the committee, but was offered in the closing hour of the committee's consideration of the bill, and was considered very briefly. The subject matter this provision deals with is highly controversial, the effects are enormous, and the basis for such a proposal is in great dispute. Yet the amendment was treated in committee as a minor appendage to a major bill and was placed as the last section in the miscellaneous title of the bill.

The committee report devotes some 73 pages to discussing the various programs in the bill. Yet, only one small paragraph on page 73 is devoted to this very far-reaching provision and its effects. With respect to this paragraph, I might point out that while its primary import is in what it fails to say rather than in what it says, it is erroneous in the information which it gives.

The report states:

> This provision will have the effect of eliminating the confusion which now exists in connection with determinations concernng the admissibility of supplemental agricultural workers under the Immigration and Nationality Act. In considering the question of the admissability of supplemental workers the Attorney General needs to know what the requirements of agriculture are and whether there are available sufficient domestic workers capable of meeting these requirements. At present he relies upon advisory information only, obtained from governmental agencies which have neither statutory responsibility or the qualifications of the Department of Agriculture to obtain, evaluate, and supply such information. This section will correct this by placing the responsibility for such information in the agency of Government which has the facilities and expertise to make such determinations.

I submit that far from eliminating the confusion, if such does presently exist concerning admitting supplemental agricultural workers into this country, this provision will create such confusion that it may be necessary to go back to the old, illegal days of the so-called wetbacks in order to provide any supplemental foreign farm labor at all. It is true that the Attorney General needs to know the requirements of agriculture, and whether there are available domestic workers capable of meeting these requirements. The practice at the present time is for the Secretary of Labor and the Secretary of Agriculture, or their appointed agents, to confer on his matter and reach a consensus concerning the number of workers required to harvest a given crop. In this respect, the Department of Agriculture has information facilities and expertise exclusive of other agencies such as the Department of Labor. However, when it comes to the point of determining whether there are sufficient domestic workers capable of meeting the requirements necessary to harvest a particular crop, the Department of Agriculture has no facilities, expertise, or basis of information from which to determine these conclusions.

The report states that the Secretary of Agriculture has the facilities and expertise to make such determinations. I challenge this statement and raise the question as to what facilities or expertise the Secretary of Agriculture has for determining the availability of U.S. workers. What facilities and expertise does the Secretary of Agriculture have for determining the wages to be paid to the U.S. workers who are available? These determinations have been reached in the past after reviewing all of the information put together by the U.S. Employment Service working together with the various State employment services, the Bureau of Labor Statistics, and other parts of the U.S. Department of Labor. Are we to remove these agencies from the Labor Department and place them in the Department of Agriculture, or are we to establish new agencies to make these determinations in the Department of Agriculture even though we have agencies established for this purpose at the present time in the Department of Labor?

Mr. President, should this amendment, as contained in the pending bill, be made a part of the basic law of the immigrant labor legislation, it is apparent, without any doubt, that it would become abso-

lutely necessary for the Department of Agriculture to establish a separate division in order to comply with the making of determinations under this act.

It is indeed surprising to find some of the people who are critical of Government spending now are alined on the side of needless duplication, inefficiency, and confusion which would result from this amendment—an amendment which would entail the spending of untold dollars to provide for this entirely new duplicative section of Government which this amendment would be required to create.

At least as surprising is finding people alined in support of this provision who in the past have stood as the stanchest defenders for proper, senatorial procedure and for respect for the committee system. This amendment serves not only to abrogate both principles, but indeed to relegate these principles to oblivion. For instance, assuming that it was a proper matter for the Agriculture Committee to consider and a proper matter to be placed in this bill, it should be noted that no hearings whatsoever were conducted on this measure even though its effects and ramifications are far reaching. It is true that back in January of this year the Agriculture Committee conducted 2 days of hearings concerning the lapse of the bracero program and the problems which this presented. However, at the conclusion of these hearings the chairman of the committee stated on the floor of this body that the purpose of the hearings was merely to advise the committee and the Senate of the effects of the termination of the bracero program.

Mr. President, during 8 years of my service in the House of Representatives, while on the House Committee on Agriculture, I made a rather extensive study of this particular problem dealing with the immigrant labor situation, and particularly the problem of the wetbacks and braceros who came into the country illegally, and under the old act.

After a rather long period of study, having voted for the program during the first 6 years of my service in Congress, I discovered that the program was doing irreparable damage with reference to human element involved, as well as failing to provide the proper labor, wages, and protection for the personnel involved.

The chairman concluded that the views presented were very conflicting in nature. No hearings were held; no study was made on this provision. Even so at the time it was presented to the committee, though the committee had been considering the bill for a period of almost 2 weeks, this particular section was given only cursory attention and was discussed for less than 10 minutes.

Mr. President, with due deference to the author of the provision, he stated earlier in the proceedings before the committee that he would offer his provision before final bill was marked up. We did have some notice, although a very short period of time. The author of the amendment advised the committee that he would offer the amendment before the hearings were concluded.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BASS. I yield.

Mr. HOLLAND. Mr. President, I am glad that the Senator made that last statement. It is true, is it not, that 2 days before the time of the offering of the amendment, the Senator from Florida advised the committee that he intended to offer an amendment to give the Secretary of Agriculture power to fix the number and availability of the workers in the various agricultural industries, with particular reference to those industries which produce perishable crops?

Mr. BASS. I do not remember whether it was 2 days, 3, or 4.

Mr. HOLLAND. It was several days.

Mr. BASS. The Senator is correct. I want it to be clearly understood that the Senator from Florida did give notice to the committee that he intended to call this provision up.

Mr. HOLLAND. Does the amendment offered by the Senator from Florida differ in any way from the notice given by the Senator from Florida at the time he called this matter to the attention of the committee?

Mr. BASS. So far as the Senator from Tennessee knows, I have no information to the contrary.

Mr. HOLLAND. Mr. President, I am happy to hear that. The Senator from Florida tried to give appropriate information, well ahead of time, that he expected to take this step. The Senator from Florida went further and also said, as I am sure the Senator will remember, that the courts have held that the Department of Labor was in this field solely in an advisory capacity and was not answerable in the courts to growers who were aggrieved. The Senator remembers my making that statement.

Mr. BASS. The Senator is correct. I wished to make it clear in my remarks that there was no indication of anything that would reflect on the way in which the amendment was brought up by the Senator from Florida.

We did not have any extensive hearings on the ramifications and the effect of the amendment. In my opinion, we did not have sufficient time in which to make a thorough study of the amendment and to obtain the advice of the officials in the departments affected.

Mr. HOLLAND. I thank the Senator.

Mr. BASS. Mr. President, this provision would affect very crucial matters within the jurisdiction of the Judiciary and the Labor and Public Welfare Committees. At least it would therefore appear to be a traversty of the whole committee system to allow such perfunctory examination by only one of the committees involved.

To cite a very good example, it might be noted that on September 7 the Senate passed a supplemental appropriation bill containing $1,723,000 for the U.S. Department of Labor. This is to be used for expenses necessary for the performance of the functions of the Secretary of Labor as he deems necessary to insure in connection with admission of nonimmigrant aliens under the Immigration and Nationality Act for employment in agriculture. This bill also insures that maximum efforts are made to recruit and retrain agricultural workers for available job opportunities, that these domestic workers be given preference and employment over alien workers, and that the employment of alien workers does not in any manner adversely affect the wages and working conditions of native workers.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. BASS. I yield.

Mr. HOLLAND. Mr. President, I am sure the Senator knows that the Senator from Florida worked on the committee which marked up the supplemental appropriations bill to which he referred.

Mr. BASS. The Senator is correct.

Mr. HOLLAND. And the earlier annual appropriations bill which covered the same subject matter.

Mr. BASS. The Senator is correct.

Mr. HOLLAND. I wonder if the Senator knows that, in both of those markups, the Senator from Florida insisted that the Secretary of Labor be given adequate funds with which to enlarge his recruitment program.

Mr. BASS. And to make a study of the entire subject.

Mr. HOLLAND. No. The recruitment program is the program for which funds were requested. That is what the Secretary was given the funds for, and the Senator from Florida in no sense wants to affect his right, duty, and obligation to do that work. It should be done much better than it has been done.

The Secretary will have a slight increase in two additional amounts of money for that purpose. However, that matter does not at all affect the purview of the pending amendment which the Senator seeks now to strike.

Mr. BASS. Mr. President, I thoroughly agree that it would be effective. If this amendment were adopted, the Secretary of Labor would be taken out of consideration in this very important problem; and the recruitment problem, in my opinion, and on the advice of the Senator from Florida, would be left in the hands of the Secretary of Labor.

Mr. HOLLAND. Mr. President, I am glad that the Senator has raised that question, because apparently he has gained a completely erroneous idea of the amendment.

The amendment makes it very clear that what the Secretary of Labor should not do is to determine what the labor needs are and the available labor at any time during the course of the picking or handling or harvesting of crops. By no means does the amendment attempt to amend or destroy existing legislation, or to cut off appropriations which the Senator from Florida is trying to provide to assist the Secretary of Labor to accentuate and enlarge his recruitment efforts which, up to now, have been hopelessly ineffective in obtaining labor for the various industries which produce perishable commodities, from one ocean to the other.

The Senator from Florida wants the recruitment to be stepped up, and he wants no other functions of the Secretary of Labor to be impaired. However, the Senator from Florida does not want

the growers to be left without the assistance of some agency that has knowledge of the facts and that has authority to determine something that is certain and definite in the matter of the number of laborers needed in the fields. As the Senator knows, such decisions are made by the Secretary of Agriculture. The Senator knows, of course, that the decisions are changed from time to time as the crops are being harvested.

No one has a clearer picture of the problem than the Secretary of Agriculture, because he is required by law to make the estimates, to issue the market news reports, and to maintain the contact men in the field.

All he desires is to have something certain upon which the producers of perishable crops can rely; and that something certain is wholly wanting under the present system.

I thank the Senator for yielding.

Mr. BASS. If the Senator will allow me to proceed, I desire to extend every courtesy, but since we are working under a time limitation, I hope other Senators will be as generous with their time so that we may have full debate on both sides.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. BASS. I am happy to yield briefly to the Senator from California.

Mr. MURPHY. Does the Senator realize that as to the setting of wages, there is a question as to whether or not that is a proper function of the Secretary of Labor?

I should like to report that in California, the wages which are paid for farm labor, both supplemental and regular, were the highest in the country, and yet the Secretary of Labor arbitrarily raised the wage rate from $1.35 an hour to $1.40.

Mr. BASS. I remember that; and I remember his testimony before the committee, and could quote it verbatim. But I shall merely state now for the record, that the standard of living and the costs of living in the areas involved were taken into consideration.

To continue with my statement, this language clearly contemplates the placing of the responsibility for determining the availability of domestic agricultural workers on the Secretary of Labor. Mr. President, this legislation passed this body on September 7 of this week and yet this amendment on which I am now speaking would completely undermine this act. It would extract from the Secretary of Labor the function of making the determination of availability which goes to the heart of this problem and for which the Senate appropriated almost $2 million. This amount was to assure that the Secretary of Labor dealt with this problem in accord with the wishes of the Senate as expressed in the provisions passed by this body. Obviously, this is a matter which is within the purview of the Labor and Public Welfare Committee and the Appropriation Committee. Since we have just finished appropriating almost $2 million to the Secretary of Labor to carry out these functions, it would be a travesty, not to mention the mistake involved, at this point to shift all these functions to the Secretary of Agriculture who has neither the facilities, manpower, information or expertise to make these decisions and carry them.

This provision would also usurp the functions of the Senate Judiciary Committee. Surely no Member of this body can question the fact that matters dealing with immigration and with the Immigration and Nationality Act are properly within the purview of the Judiciary Committee. This week we anticipated having before us the Immigration and Nationality Act revisions submitted by the Senate Judiciary Committee. These were previously considered by the Judiciary Committee of the House and passed by that body. Yet this provision, if enacted, even though never considered by the Judiciary Committee, would alter section 212(a)(14) and section 214 of the Immigration and Nationality Act as presently constituted. The former section and the regulations of the Immigration and Naturalization Service promulgated pursuant to section 214 are designed to insure the admission of aliens into the United States for employment in a manner which will not create unfair competition between such aliens or between our own workers for available job opportunities. It also insures that the wages and working conditions of the domestic workers will not be adversely affected. The Attorney General has requested the Secretary of Labor under this act to supply him with the pertinent information upon which to base these determinations. This was done in recognition of the very special sources of information and facilities existing in, or available to, the Department of Labor which are unique within our Federal Government system.

When the Immigration and Nationality Act revisions were recently considered by the House of Representatives—the bill we expected to consider sometime this week—the House saw fit to tighten the safeguards provided through section 212(a)(14). In doing so, they provided that an affirmative certification of nonavailability of domestic workers, stating there would be no adverse effects, would be furnished by the Secretary of Labor before any immigrants could be admitted for employment in the United States. The revised version of this section as passed by the House was given very careful and lengthy consideration by the House Judiciary Committee before it was reported to the House. Section 706 presents a direct conflict with the action of the House in a matter which is basically within the jurisdiction of the House and Senate Judiciary Committees.

The present proposal, however, would significantly modify the recent House action when it would affect the admission of immigrant aliens for agricultural employment. The determination required by the section discussed would, in such cases, be made by the Secretary of Agriculture instead of the Secretary of Labor. It apparently, however, leaves untouched the authority of the Secretary of Labor to make certification dealing with the adverse effects cited by this section. Thus, with respect to a single admission, two separate certifications, inextricably interrelated, would be required of two different Government agencies. The resulting confusion can only create further complications of the administration of the Immigration and Nationality Act, a law already overburdened with such complications and confusion.

Another aspect of this procedural snafu needs to be discussed at this point. The Appropriations Committee in reporting the Agricultural Appropriations Act of 1966 requested a comprehensive study of the entire agricultural-labor situation to be made. In the report the Appropriations Committee stated that it "recognizes that such a study will require careful planning and extensive research." Yet now, without the benefit of the study or without any such careful planning or extensive research we are asked to accept a provision which materially alters all of the existing relationships between the governmental agencies involved in the program.

The Secretary of Labor has stated:

> This section provides for a drastic realinement of responsibilities with respect to determinations affecting not only farm labor, but also the amounts of land, materials, and services needed for farm production and harvesting.

I state parenthetically that this statement was made by the Secretary of Labor before the Senator from Florida amended his section striking out the other parts.

> The reorganization proposed by this section of the reported bill would involve substantial shifts in functions and programs now performed by the Departments of Justice, Interior, Agriculture, and Labor under a variety of statutes, including the Wagner-Peyser Act and the Immigration and Nationality Act. Of special significance to the Department of Labor is the effect the proposal would have on the Department's responsibilities under various sections of the Immigration and Nationality Act involving determinations of availability of domestic workers in connection with the admission of both immigrant and nonimmigrant aliens. For example, section 706 is in sharp conflict with certain revisions of section 212(a)(14) proposed by the immigration and nationality bill recently ordered reported by the Senate Judiciary Committee. These latter provisions are also contained in the House-passed immigration and nationality bill, designed to tighten certain safeguards for American labor after a most thorough and careful consideration of all aspects of this issue.

I ask unanimous consent that the entire letter of the Secretary of Labor be printed in the RECORD at this point.

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

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington.

Hon. ROSS BASS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BASS: I call to your attention section 706 of the omnibus farm bill (H.R. 9811).

This section provides for a drastic realinement of responsibilities with respect to determinations affecting not only farm labor, but also the amounts of land, materials and services needed for farm produc-

tion and harvesting. The reorganization proposed by this section of the reported bill would involve substantial shifts in functions and programs now performed by the Departments of Justice, Interior, Agriculture and Labor under a variety of statutes, including the Wagner-Peyser Act and the Immigration and Nationality Act. Of special significance to the Department of Labor is the effect the proposal would have on the Department's responsibilities under various sections of the Immigration and Nationality Act involving determinations of availability of domestic workers in connection with the admission of both immigrant and nonimmigrant aliens. For example, section 706 is in sharp conflict with certain revisions of section 212(a)(14) proposed by the Immigration and Nationality bill recently ordered reported by the Senate Judiciary Committee. These latter provisions are also contained in the House-passed Immigration and Nationality bill, designed to tighten certain safeguards for American labor after a most thorough and careful consideration of all aspects of this issue.

Under section 212(a)(14), responsibility for determining the availability of domestic workers in connection with the consideration of applications for immigrant visas is vested in the Secretary of Labor. This determination cannot be made in the abstract. It requires an intensive, sustained and nationwide effort to reach all sources of labor supply. The function of determining the availability of labor is inextricably interrelated with the recruitment functions presently carried out by the Department of Labor through a nationwide network of state employment offices reaching into every rural and urban area.

The proposal has similar implications with respect to section 214 of the Immigration and Nationality Act which deals with the admission of nonimmigrant aliens for temporary employment.

Additionally, it would create confusion for the program authorized by the Congress in the Department of Labor supplemental appropriations bill which provides funds and authority for the Secretary of Labor to assure that, in connection with the admission of nonimmigrant aliens under the Immigration and Nationality Act, domestic workers are given preference in employment. This bill was passed by the Senate on September 7, 1965.

Because of the general and ambiguous language it is not possible to ascertain at this time the full impact of this proposal. It is clear, however, that it cuts across the responsibility of the Departments of Justice, Agriculture, Interior, and Labor.

I am aware that this whole issue has been proposed for a study under the leadership of the Secretary of Agriculture. I would of course look forward to cooperating fully with such a study and the opportunity it would provide for a review of the present program.

I am in full accord with the views expressed that the adoption of this proposal would not serve the best interests of the various programs within the scope of the proposed reorganization.

Sincerely,

W. WILLARD WIRTZ,
Secretary of Labor.

At this time I should like also to quote from a letter from the Attorney General. The Attorney General stated:

The Department of Justice urges the deletion of this provision from the agriculture bill because it conflicts with the responsibilities of this Department in administering the immigration laws both as they now exist and, depending on the timing of enactment, as they would be amended by the pending immigration bill, H.R. 2580, which passed the House on August 25. The provision in question would supersede the present functions of the Attorney General, and of other Government agencies, such as the Department of Labor, with which this Department consults regarding the admission of temporary agriculture labor under section 214(c) of the Immigration and Nationality Act. As to aliens who are prospective immigrants and who contemplate agricultural employment, the provision conflicts with section 212(a)(14) of that act and with several portions of the pending immigration bill. These include (a) section 3 of the immigration bill, containing an amended section 203(a)(6) of the Immigration and Nationality Act establishing preferences for needed lesser skills, (b) section 10 of the bill, containing an amended section 212(a)(14) of the act prescribing clearances by the Secretary of Labor which affect the admissibility of various classes of aliens, and (c) portions of the bill cited in section 10 thereof which chiefly affect so-called special and nonpreference immigrants. These are important parts of the bill.

I ask unanimous consent to have printed in the RECORD a verbatim copy of the Attorney General's letter. The Secretary of Agriculture is also opposed to this provision.

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

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., September 9, 1965.

Hon. ROSS BASS,
U.S. Senate, Washington, D.C.

DEAR SENATOR BASS: This is in response to your request for my comments on section 706 of the agriculture bill, S. 1702, as reported by the Senate Agriculture Committee. This section would vest in the Secretary of Agriculture the power to make determinations binding on the rest of the Government as to the need for and availability of economic resources, including labor. for use in agricultural production.

The Department of Justice urges the deletion of this provision from the agriculture bill because it conflicts with the responsibilities of this Department in administering the immigration laws, both as they now exist and, depending on the timing of enactment, as they would be amended by the pending immigration bill, H.R. 2580, which passed the House on August 25. The provision in question would supersede the present functions of the Attorney General, and of other government agencies, such as the Department of Labor, with which this Department consults regarding the admission of temporary agricultural labor under section 214(c) of the Immigration and Nationality Act. As to aliens who are prospective immigrants and who contemplate agricultural employment, the provision conflicts with section 212(a)(14) of that act and with several portions of the pending immigration bill. These include (a) section 3 of the immigration bill, containing an amended section 203(a)(6) of the Immigration and Nationality Act establishing preferences for needed lesser skills, (b) section 10 of the bill, containing an amended section 212(a)(14) of the act prescribing clearances by the Secretary of Labor which affect the admissibility of various classes of aliens, and (c) portions of the bill cited in section 10 thereof which chiefly affect so-called special and nonpreference immigrants. These are important parts of the bill.

Apart from its impact on immigration, I am informed that section 706 of the agriculture bill is likely to have drastic and unpredictable effects on many other laws and programs. For instance, it might affect occupational deferments under Selective Service, assistance for education or manpower retraining pertaining to agriculure, and operations of the U.S. Employment Service. So far as resources for agriculture other than labor are concerned, the amendment might affect the regulation and production of electric power and other services, flood control and irrigation projects, the acquisition, leasing and disposal of public lands, financial assistance to agricultural and supporting enterprises, policies affecting chemical or other materials used in agriculture, or programs and regulations pertaining to transportation affecting agriculture. It is also possible that determinations under the amendment might supersede functions of the States pertaining to agriculture in ways not now contemplated. All of the foregoing could result in much administrative delay for numerous agencies, and in unnecessary litigation.

For the foregoing reasons, I urge the deletion of section 706 from the agriculture bill.

Sincerely,

NICHOLAS DEB. KATZENBACH,
Attorney General.

Mr. BASS. These agencies, Mr. President, are the agencies presently most intimately acquainted with the problems dealing with this subject. The Department of Agriculture has neither the facilities nor the expertise to handle this type problem, involving the determination that it does. The Justice Department's functions would be immeasurably complicated if this provision were enacted into law. Even if the Senate should give consideration to enacting such a provision into law, then the proper context in which to consider it would be in the amendments to the Immigration and Nationality Act, which are due to come before this body, as I stated previously, in the near future.

Mr. MURPHY. Mr. President, will the Senator from Tennessee yield at that point?

Mr. BASS. I shall be happy to yield in a moment, if the Senator will let me finish my statement first.

This provision, Mr. President, would be bad policy even if it were confined to the jurisdictions of the Secretaries of Labor and Agriculture. Are we to remove from the jurisdiction of a Cabinet officer certain areas and place these under the scrutiny of another Cabinet officer simply because the first officeholder has displeased a given group within this country? Many people at the present time are displeased with the actions of the National Labor Relations Committee. Are we to remove from this Board jurisdiction over the area in controversy and place it under the jurisdiction of the Secretary of Commerce? Many people, including myself, are very much disappointed in the assertion of authority by the Civil Aeronautics Board and the manner in which it exercises its jurisdiction. However, Mr. President, I have yet to come, and will not come, before this body and advocate, simply because I am displeased with this or any other Government agency, that we remove all its jurisdiction and place it before another agency with the expectation that my views would be better presented and my ends better accomplished there. If such be the case, then surely to say the least, complete internal governmental chaos would be the result.

I, therefore, ask this body to join me in voting against, and rejecting, this provision of the present bill. I urge Senators to vote for my amendment

which would strike this obnoxious language from the text of the bill.

Mr. President, in the omnibus agricultural bill, this subject matter does not apply to any degree. There is no section of the bill which speaks directly to the immigrant worker, or to the bracero program. Over a period of years, during my experience in Congress, this program has been dealt with separately. It has been considered a separate issue.

I do not deny that there may be problems involved in determining the necessity and the application of the entire program of braceros or immigrant workers in the United States. But this is superfluous matter in a very important piece of farm legislation which I hope will go a long way at least, to solve temporarily some of the agricultural problems which exist in this Nation at this time.

Therefore, I hope that this material, which is extraneous, and which does not deal with the major provisions of the bill, will be stricken from the proposed legislation.

I hope that the proper committees of Congress will look at the problem, if there is a problem existing. If there is need for new legislation in the field, I hope that it can be settled as a choice piece of legislation which has been the case of the historical legislation in this field over many years.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. ELLENDER. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 3 minutes.

Mr. ELLENDER. As the distinguished Senator from Tennessee has stated, the Committee on Agriculture and Forestry held hearings lasting 3 or 4 days during the early part of this year, in order to try to impress the Department of Labor, as well as the Department of Agriculture—in fact, the whole Nation—as to what was happening on the farms on which perishable crops had been planted in abundance, where the farmers were having a great deal of trouble obtaining sufficient labor to cope with the situation of gathering the crops.

Mr. President, I fathered the Bracero Act long ago. Personally, I would not mind having that same act on the statute books now, but it was apparent when the last renewal was presented that we had no opportunity to have the act extended, even though Congress had seen fit to relegate the operation of the bracero program to stoop labor.

Mr. President, the provision of the committee amendment is simple. All it seeks to do is to place the problem in the hands of the Department of Agriculture and let it determine the necessity for importing labor. It does not mean that the Department of Agriculture itself would, in any way, take over administration of the laws relating to immigration. The Secretary of Agriculture would make the findings as to the necessity for obtaining labor in order to save the crops.

The hearings we had during the early part of this year showed that many farmers were not planting what they usually plant by way of perishable crops, because of the fact that they had no way to tell whether they would be able to obtain sufficient labor to gather the crops.

As a result, I am informed—and I am sure that my good friend the Senator from California [Mr. MURPHY]——

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. ELLENDER. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 additional minute.

Mr. ELLENDER. I am sure that the Senator from California will be able to give a specific example of farmers who grew less. Some even moved to Mexico to grow crops which they could have easily grown in California or other parts of the Southwestern United States.

Mr. President, I do not believe that provision contained in the committee amendment would do any harm. It would place authority in the proper place where an informed determination can be made. If a good showing can be made that the labor is needed, the laws now on the statute books can then be put into effect to provide the needed labor. That is what the laws have been put on the books to accomplish.

I yield 30 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 30 minutes.

Mr. HOLLAND. Mr. President, before I begin my prepared remarks on the subject, let me say to my distinguished friend from Tennessee that he has apparently overlooked the important jurisdiction of the Department of Agriculture. Periodically, several times a year, the Department gathers information on the work force. It publishes reports, almost as big as books, on work force statistics. I have in my hand report No. 76, which is entitled "The Hired Farm Working Force of 1963, With Supplementary Data for 1962."

This is only one of numerous publications in the field. So the Department of Agriculture does keep up with the labor supply. It does have the expertise. It does have information in that field. It is by reason of the trouble to which the Secretary of Labor has led, not only in this matter but others, that we think the Department of Agriculture has to be given the authority to prescribe how much labor is needed, at any particular time during the season, and have the responsibility of issuing reports, both ahead of time and during the season, as to what crops are to be expected, what the conditions are, and the like. It can obtain that information from sources and information available to it. So there is no particular problem in that connection.

Only this morning I conferred with the Secretary of Agriculture. He tells me there is no doubt about their having the information, records, expertise, and personnel in the field to acquire the information. There is no difficulty in determining what force is needed and what can be used. The Department has in the field county agents and their staffs. The Department has the ASC committees. It has the crop reporting service. It has the crop insurance division and various other divisions on the job checking on these matters. It can do all that work.

Mr. BASS. Mr. President, will the Senator yield?

Mr. HOLLAND. I shall be glad to yield in a moment. I am impressed by the fact that the Senator from Tennessee does not have a letter from the Secretary of Agriculture. He personally stated to me this morning that the Department has sufficient machinery to obtain the facts. As a matter of fact, the Department does so, as shown in the exhibit to which I have just referred.

Now I am glad to yield to the Senator from Tennessee.

Mr. BASS. First of all, I am advised by the Secretary of Agriculture's assistant that he opposes this section of the bill. I do not personally have a letter from him, but we might attempt to get one if we have time. Of course, the Secretary of Agriculture has the expertise and the facilities to determine how much agricultural labor is available in an area and how much is needed in the production of the crops. But my friend from Florida knows that we are not talking about agricultural labor, because if this work could be done with agricultural labor, there would be no controversy.

What we are talking about is part-time employees that have to be recruited from the nonagricultural labor force in the Nation at a given time. In order to recruit these workers, somebody has to know about the availability and the wage scales involved in paying the bill. The Secretary of Agriculture, in all the reports he may have issued, has never had such information. He does not have the information and he cannot know about the nonagricultural labor force which must be known if domestic nonimmigrant workers are to be given the opportunity of doing the work.

Mr. HOLLAND. I say to the Senator from Tennessee that, insofar as wages are concerned, we do not attempt to confer any authority at all on the Secretary of Agriculture. We have never conferred it on the Secretary of Labor. One source of the trouble that has concerned some of us is that he has assumed unto himself authority which has been withheld by Congress. Every time a labor bill has been considered in the 19 years I have been a Member of the Senate, and I am sure before that, there have been attempts to have agricultural wages included in a wage and hour bill. Every time that has been attempted while I have been a Member of the Senate, the Senate has voted such a provision down. The House has voted such a provision down. That authority has never been given by Congress. Yet the Secretary of Labor has blithely assumed this authority. Because of his advisory capacity, we cannot reach him through the courts, about which I shall have

something to say later. He has set a minimum labor charge in various States which exceeds the minimum labor wage for industry which has been prescribed by act of Congress. Notwithstanding that Congress has refused to prescribe that authority for the Secretary, he has prescribed a larger labor charge as a condition to giving certification for letting workers come in from Canada, the British West Indies, or Mexico.

The fact of the matter is that wages have nothing to do with our amendment, nor does it have to do with the matter of cutting down the power of the Secretary of Labor to carry on a recruitment program.

We tried to provide additional sums this year to enable him to do a better job in the field, but after he has done all he can do by his efforts in the recruitment of labor for the industry, we want the Secretary of Agriculture to be able to say, "This is how much is available against such a need," and to say it in such a way that it can be relied on in the courts and by the Attorney General, through the Commissioner of Immigration, and that it will give some dependable information and relief to the industry which has been so badly hurt by the intransigence of the present Secretary of Labor.

We did not have this trouble under Secretary Goldberg. He was a reasonable man. He used commonsense in this field. I am sorry we have not had a demonstration of it by the present Secretary. We did not have such a situation under the late Secretary Mitchell. We had no trouble there. It is only since we have had this idealistic, evangelistic Secretary of Labor, who thinks he has authority to set wages——

Mr. BASS. Now, now——

Mr. HOLLAND. And who thinks he has authority to do other things which we regret, and who says he is not bound in court by these decisions and cannot be held accountable for them—it is only since we have had such a Secretary of Labor that we have had these troubles.

Mr. BASS. Mr. President, will the Senator yield?

Mr. HOLLAND. I shall yield in a moment.

We are not trying to deal with the problem fully, but in one field only, in which we can deal with it effectively, and that is to give the Secretary of Agriculture authority to say, "So many workers are needed to handle this particular vegetable or fruit crop because our estimates are that so much will be needed this year."

To say we need more and that we do not have that large a number, the Secretary of Labor has not been able to produce them. We do not have available the labor force which we are seeking. We believe the Secretary of Agriculture is peculiarly and uniquely qualified to make that determination, and it is for that reason that we would impose this duty upon him.

Mr. BASS. To say that this problem has come about since the present Secretary of Labor has been in office is certainly snatching in air because, as the Senator well knows, this problem has existed for many years.

The problem, perhaps, has been magnified because Congress determined that the bracero program was bad and voted it out of existence. The Secretary of Labor then tried, as best as he could, to help the people who needed some assistance.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. BASS. I have heard them come before my committee, both in the House and in the Senate, during my terms since I first came to Congress as a young lad, knowing that this problem existed. It has been magnified.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Florida has the floor.

Mr. HOLLAND. I am thoroughly familiar with the matters which the Senator mentioned. I served with the committee which drafted the bracero act. It did not come from the Committee on the Judiciary. It came from the Committee on Agriculture and Forestry. I am familiar with the inception of this program. Mexico said it would not tolerate that kind of condition and asked for consultation which would be incorporated in the new bill, which was done. I am familiar with every step of the controversy.

I represent one of the two States most affected by the present arbitrary actions of the Secretary of Labor.

We produce more perishable crops—not as many as the Golden State, but we produce a billion dollars of produce a year. I know how badly we have been hurt this year and I am trying to take steps under which relief can be had. I am glad the distinguished Senator was fair, as he always is. I announced to the committee that I expected to offer this amendment, and the reason I did. I did it so there can be no question of surprise.

Mr. BASS. Mr. President, will the Senator yield for one more statement?

Mr. HOLLAND. I yield.

Mr. BASS. I want it understood that the Senate is not saying there is not a shortage of labor in certain areas in the State of Florida or the State of Tennessee.

Mr. HOLLAND. What is the Senate doing to correct that?

Mr. BASS. The Senator from Tennessee believes there is adequate labor in the United States if the recruitment program is properly administered, for domestic labor, instead of taking people who want to come across the border.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. BASS. I wish to make one more statement.

Mr. MURPHY. Mr. President, I would like to have the floor, please. I have asked several times.

There is confusion here that I would like to straighten out.

Mr. HOLLAND. I yield to the Senator from California, after the Senator from Tennessee, has exhausted his remarks.

Mr. BASS. I wish to make one statement. When I voted against the bracero program in the House of Representatives I said that one of the great fallacies and one of the things which should be worked out in the program, was that no immigrant labor should be brought into the United States to produce crops that were in surplus in which we had acreage quotas. The small farmers in Tennessee want the privilege of raising crops, the labor is available, and they have the members of immediate families working on the farm. That is the reason why the Senator from Tennessee says the labor problems can be well taken care of and should be in the hands of the Department of Labor because we have not had the proper treatment.

We could not justify any vote in the Congress by saying we allowed immigrant workers to come in. Farmers in Tennessee have families to feed and want to produce crops.

This Senator will never vote that way.

Mr. HOLLAND. With respect to that, when we get further along we can pool time. I have been assured by the majority leader that we can have time on the bill. The Senator has been gracious in yielding to me. I do not want to have time problems when we are through. I am glad that the distinguished Senator from California made his gallant fight to keep in business thousands of people who are producing perishable commodities in his State. Some have already been run out of business by the treatment they have had from the present Secretary of Labor.

Mr. MURPHY. I thank the Senator from Florida. I would like to address the Senator from Tennessee. When I came to the Senate I found great confusion about this matter.

The Senator from Tennessee made a wonderful case, as have other Senators, with regard to handling the problem. He suggests that perhaps because the Government arrangements are too complicated and that we have to leave it alone while farmers in my State go out of business. I do not believe he meant to say that. He mentioned wetbacks.

I shall submit in my formal statement, which I shall make later, evidence that the wetback problem is back with us again because the operation has not been properly handled.

The Senator talks in terms of surplus crops giving the impression that these are crops supported by Government subsidy.

I am not speaking of Government-supported crops. I am speaking of crops grown by the small farmer in cooperatives, that have done so successively. It is the largest industry in my State. They are about to be completely ruined. Farms which have been operating successfully for 35 to 50 years are going broke because the Secretary of Labor has taken an arbitrary position. He is not listening to reason.

Much has been said about machinery that was necessary to obtain information. I suggest that the machinery exists.

There was State and Federal machinery. What did the Secretary of

Labor do? He appointed three college professors as experts to advise him on the number of bracero workers that were needed. They come in, pick and harvest, and never amount to more than 10 percent of the work force. Without them the Nation's work force will suffer. The Teamsters are suffering now. Other unions will suffer. This is the reason I may become a little emotional. I have lived with this problem for 2 years.

If the Senator from Tennessee will forgive me, I, too, have known about the problem for 20 years. The Secretary has taken the word of three professors about the number of workers needed on farms and arbitrarily cut it in half. The Secretary of Labor is a busy man, with dock strikes and steel strikes, and he has had too many problems to take care of this one.

The crops of our Nation must be picked when ready. That is why I join the Senator from Florida. I hope this can be transferred to the Secretary of Agriculture. I hope we can devise a good working program to get them by next year.

Mr. HOLLAND. I thank the Senator. I will now proceed on my prepared remarks.

Mr. President, in strongly opposing the pending motion of the Senator from Tennessee to strike section 706 of the pending farm bill I would like to discuss, in some detail, the meaning and objectives of said section 706.

On several occasions during the past 9 months, joined by many other Senators, I have called the attention of the Senate to the very serious farm labor problem facing major parts of American agriculture. The problem has, of course, arisen from the fact that many farmers producing perishable crops have been unable to obtain needed workers to meet their requirements.

Section 706 of the pending bill should go a long way toward remedying what has been a chaotic situation. It is designed to give specific responsibility to the Secretary of Agriculture for finding facts and making certain determinations regarding the need for and availability of workers at the time and place they are needed to produce and harvest the Nation's crops.

This is essential because there have been too many instances this year where workers alleged to have been available by the Department of Labor have been either nonexistent, or were unable, or unwilling to do the jobs for which they were hired. This has resulted in substantial costs and losses to many farmers. Large sums have been expended in often futile recruitment efforts. Significant losses have occurred in many perishable crops because of farmers' inability to harvest at maturity. Other crops were not planted, or plantings were reduced, because of legitimate fears of labor shortages. Several farmers have simply abandoned acreage as a result of too few farmhands. Some farmers have moved their operations to other countries. These crop losses sustained by the producers also result in higher consumer prices, in certain instances.

It is not necessary to review in detail these distressing past events. They were covered in thorough hearings held before the Senate Committee on Agriculture and Forestry on January 15 and 16 of this year and shown by a printed hearing record of 369 pages available to all Senators. They were documented in discussions on the floor of the Senate on February 18, February 25, March 9, May 12, and again on June 30.

It has been only after the greatest efforts on the part of individual Members of the Senate and House with the executive branch, sometimes with the President himself, that we have been able to obtain relief at all. And this relief has been frequently too little and too late.

This problem is made much more difficult because presently there is no statutory duty on anyone other than the Attorney General to obtain the facts and make the determinations necessary to support proper conclusions. The Attorney General, however, does not have the facilities to determine the facts on which his decisions must be based. He must look elsewhere. And the person who makes the findings of fact should be responsible therefor. By placing the responsibility on the Secretary of Agriculture to determine the facts, and making his findings binding on other Federal agencies, this amendment will prevent arbitrary or capricious actions and will allow such actions to be tested in the courts.

At the present time, as was indicated in the Court's decision in the Florida case of *Chase Glades Farms* v. *Wirtz* (No. 65–86–Orl.–Civ.) arbitrary and capricious acts on the part of the Secretary of Labor or his failure to act cannot be tested because he is performing only an advisory function not directed by law.

On May 5, 1965, 10 Florida celery growers filed an action to restrain and enjoin the Secretary of Labor from refusing to extend the certification for celery cutters from April 30 to June 15, 1965 to permit foreign agricultural workers holding temporary visas as supplementary agricultural workers under the provisions of section 101(a)(15)(H)(ii) of the Immigration and Nationality Act to continue to perform the operation of cutting celery until May 31 as to some of them, and until June 15, as to others—*Chase Glades Farms* v. *Wirtz*, No. 65–86–Orl.–Civ. The complaint alleged that the Bureau of Employment Security of the Department of Labor had arbitrarily and capriciously refused to extend its clearance order or certification for the use of this labor beyond April 30, 1965, and that irreparable losses of the celery crop would be sustained if the supplemental workers were not permitted to continue to cut celery. A restraining order and injunction was also requested against the Attorney General and the Commissioner of Immigration and Naturalization from deporting the workers.

The gist of the cast is well stated in the following paragraph from the opinion of the trial court:

> The refusal of the Secretary of Labor to extend the certification for celery cutters from April 30 to June 15, 1965, is the crux of the plaintiff's case. Plaintiffs are all celery growers in the Okeechobee area of Florida and are each a beneficiary of the Florida Fruit and Vegetable Association's contract for off-shore workers.

In the argument to the court with respect to the issuance of a temporary restraining order counsel for the Secretary of Labor and the Attorney General contended that the Secretary of Labor is vested with no authority whatsoever to determine whether any laborer should be admitted on a nonimmigrant status or whether having been admitted his stay should be continued, and that the Secretary of Labor acts only in an advisory capacity to the Attorney General.

Mr. President, because of the failure to adduce in court evidence of the extreme hardships that have been endured, the great farm organizations of this country have come out strongly for taking care of this matter. I have received a telegram from Mr. Bernard J. Imming, secretary of the United Fresh Fruit & Vegetable Association. I ask unanimous consent that his telegram be printed at this point in the RECORD.

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

WASHINGTON, D.C.,
September 13, 1965

Hon. SPESSARD HOLLAND,
U.S. Senate,
Washington, D.C.:

We support section 706 of farm bill. U.S. Department of Agriculture has necessary facilities to make specific findings of fact which should be extremely helpful to U.S. Department of Labor and Attorney General in assuring adequate supplies badly needed supplemental farmworkers.

BERNARD J. IMMING,
Secretary, United Fresh Fruit & Vegetable Association.

Mr. HOLLAND. Mr. President, Mr. Imming's telegram makes it quite clear that we are not trying to knock the Secretary of Labor out of business and are not trying to displace the Commissioner of Immigration. To the contrary, we are trying to help them to do a difficult job which they have not been able to do well under the present setup because the Secretary of Labor has stymied the whole process.

I have also received a telegram from Mr. Charles B. Shuman, president of the American Farm Bureau Federation. I ask unanimous consent that his telegram be printed at this point in the RECORD.

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

WASHINGTON, D.C.,
September 13, 1965.

Hon. SPESSARD L. HOLLAND,
U.S. Senate,
Washington, D.C.:

The American Farm Bureau Federation board of directors, now in session, endorses your proposed amendment to authorize the Secretary of Agriculture to determine farm labor needs as the basis for the admission of supplemental foreign farmworkers. The Department of Agriculture has the statistical field force familiar with the labor needs of farmers to provide reliable and helpful data for this purpose.

CHARLES B. SHUMAN,
President,
American Farm Bureau Federation.

Mr. HOLLAND. Mr. President, another telegram, a copy of which I have

received, is from Kenneth D. Naden, executive vice president of the National Council of Farmer Cooperatives. I ask unanimous consent that his telegram be printed at this point in the RECORD.

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

NATIONAL COUNCIL OF FARMER COOPERATIVES.

Hon. MIKE MANSFIELD,
Senate Majority Leader.
Hon. EVERETT M. DIRKSEN,
Senate Minority Leader.
Hon. RUSSELL LONG,
U.S. Senate.
Hon. ALLEN J. ELLENDER,
U.S. Senate,
Washington, D.C.:

Members of National Council of Farmer Cooperatives strongly support Holland amendment, section 706 to farm bill (H.R. 9811) being considered today. Amendment essential because of skillful field staff and unique knowledge of Secretary of Agriculture of resources required for effective and efficient production of farm products. Timeliness in production and harvesting of farm products necessary to maintain quality, prevent waste, and support farm income as well as protect consumers.

KENNETH D. NADEN,
Executive Vice President.

Copy to Senator SPESSARD L. HOLLAND.

Mr. HOLLAND. Mr. President, I wish to emphasize one sentence of Mr. Naden's telegram:

Amendment essential because of skillful field staff and unique knowledge of Secretary of Agriculture of resources required for effective and efficient production of farm products.

Mr. President, I have also received a fine letter from Herschel D. Newsom, national master of the National Grange, which I ask unanimous consent to have printed in the RECORD.

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

NATIONAL GRANGE,
Washington, D.C., September 13, 1965.

Hon. SPESSARD L. HOLLAND,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HOLLAND: The National Grange strongly supports section 706 of H.R. 9811, the farm bill now pending before the Senate.

The matter of having the necessary number of farmworkers who are capable of performing the arduous tasks involved in the production and harvesting of the Nation's agricultural crops is vital to farmers, consumers and to our national well-being.

There is no question but that American agriculture gives first preference to the employment of qualified Americans but experience has demonstrated time and again that there are periods of time when supplemental farmworkers are needed. When these conditions exist this need must be met. There must be an orderly and certain procedure whereby the essential facts can be ascertained and whereby the needed supplemental workers may be admitted for temporary employment without farmers being subjected to inordinate and unreasonable requirements and without needless delays occasioned by bureaucratic experimentations.

The Immigration and Nationality Act specifically authorizes the admission of farmworkers whenever the need exists. The present procedure, however, of depending upon the Secretary of Labor to obtain and supply the facts has proven to be a complete failure. The Department of Labor obviously is not qualified, as is the Department of Agriculture, to determine the needs, availability, and capability of persons in the areas of employment to perform the different kinds of farmwork, or the urgent necessities of having the work performed at particular times. Through the facilities of the U.S. Employment Service the Department of Labor can and should make known and assist any prospective farmworkers to find jobs—just as it does workers seeking any other kind of employment activity—but the test of whether they will make themselves available and whether they are capable of performing agricultural fieldwork is something in which the Department of Labor does not have expertise comparable to that of the Department of Agriculture.

The need for supplemental farmworkers has been particularly acute this year from Maine to California because of policy changes not directed by law inaugurated by the Department of Labor. Farmers have been subjected to excessive and unreasonable requirements and even then agricultural needs have not been met. The National Grange believes that the time is now at hand for the Congress to provide a way for their agricultural needs to be determined and transmitted to the Attorney General.

There can be no doubt that the Department of Agriculture has the facilities and capabilities of making the determinations required under section 706. This fact, of course, is rather obvious when one considers that there are county agents and county committees dealing daily with agricultural matters in almost every county in the United States.

I am at loss to understand why anyone would object to having the Secretary of Agriculture specifically charged by the Congress with the responsibility for ascertaining facts and for making determinations which are peculiarly within his competence. It is clear that the necessary facts which are essential to prompt determinations so that agricultural needs can be met have either not been obtained or they have been ignored. This should be corrected and we believe section 706 will be helpful.

We, therefore, hope that the Senate will retain section 706 in the bill.

Sincerely yours,

HERSCHEL D. NEWSOM,
National Master.

Mr. HOLLAND. Mr. President, I wish to read for emphasis two parts of Mr. Newsom's letter.

The Immigration and Nationality Act specifically authorizes the admission of farmworkers whenever the need exists. The present procedure, however, of depending upon the Secretary of Labor to obtain and supply the facts has proven to be a complete failure. The Department of Labor obviously is not qualified, as is the Department of Agriculture, to determine the needs, availability and capability of persons in the areas of employment to perform the different kinds of farmwork, or the urgent necessities of having the work performed at particular times.

I now read the last paragraph of Mr. Newsom's letter:

I am at a loss to understand why anyone would object to having the Secretary of Agriculture specifically charged by the Congress with the responsibility for ascertaining facts and for making determinations which are peculiarly within his competence. It is clear that the necessary facts which are essential to prompt determinations so that agricultural needs can be met have either not been obtained or they have been ignored. This should be corrected and we believe section 706 will be helpful.

Mr. President, I ask unanimous consent that I may yield to the distinguished junior Senator from Tennessee for the purpose of enabling him to ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BASS. Mr. President, on the pending amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BASS. I thank the Senator from Florida for yielding.

Mr. HOLLAND. Mr. President, in refusing the temporary restraining order as requested, the court said:

This court concludes that under the law * * * the Secretary of Labor, his subordinates and the agencies of the Department of Labor are not vested with any authority to grant or deny the admission or the continuance in this country of any nonimmigrant laborer. Because of that, the determinations made by the Secretary of Labor in connection with such matters are solely advisory and can be accepted or rejected by the Attorney General in the exercise of his statutory authority on this subject. The giving of such advice is not subject to injunctions.

The growers are helpless. They have no place to go, the court said. I think the court was correct in that. I understand that two courts in California ruled in the same way. I have not seen those decisions, but the courts have held that the growers are without legal remedy. Is that American? Is that the way in which we are supposed to conduct important businesses in which the citizens of our Nation have money invested for the purpose of feeding people? I do not believe it is.

The PRESIDING OFFICER. The 30 minutes of the Senator have expired.

Mr. ELLENDER. Mr. President, I yield 15 additional minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for an additional 15 minutes.

Mr. HOLLAND. Mr. President, shortly after the issuance of the court decree in this case the Attorney General rejected the finding of the Secretary of Labor and ordered an extension of time for the offshore celery cutters involved in that suit. For this relief we are indebted to the Attorney General and to the President.

Mr. President, it is an unfortunate situation when the growers must go to the President. That is what we had to do in order to get relief when, at midnight of that day, the workers were supposed to be ejected from the country. The President called the Attorney General and told him to keep the workers in the country so that they could do this important work in harvesting perishable crops.

This problem will continue until a procedure for fixing such responsibility is established. And it is the purpose of our section 706 of the pending bill to provide just such a system. Under section 706 the Secretary of Agriculture will be designated as the appropriate official to ascertain agriculture's requirements for farmworkers and their availability and to make these findings known to appropriate agencies of Government.

Is this provision needed? To me the answer is definitely "yes."

Until recent years, supplemental farm labor programs worked smoothly and reasonably well although persistent efforts were made to use them as vehicles for achieving purposes never intended by Congress. Beginning this year, however, the Secretary of Labor made a sharp change in his policies and procedures in connection with issuing clearance orders for workers. He has imposed numerous onerous requirements as a condition to presenting a petition for workers to the Commissioner of Immigration. Just to cite one, he has required the payment of a minimum wage in several States, in excess of that established by Congress for industry. This has never been authorized by Congress, and in fact, agriculture has been expressly exempt from the Wage and Hour Act.

Not only have farmers been saddled with extremely burdensome regulations, but the Secretary of Labor has taken the position that foreign, supplemental, agricultural labor should be excluded. He attempted to support this position by the strange theory that the Congress by not extending his authority under Public Law 78, under which Mexican nationals formerly entered this country, somehow nullified the provisions of the Immigration and Nationality Act—Public Law 414—authorizing the importation of needed workers.

The Department of Labor has consistently misconstrued congressional intent with respect to supplemental labor programs. It has constantly maintained that Congress intended, by not extending Public Law 78, to discontinue making available supplemental agricultural labor to American farmers under other law provided for that purpose, which law is still on the books.

In his statement covering his December 19, 1964 regulations, the Secretary of Labor said with respect to the action of the 88th Congress in extending Public Law 78 to the end of 1964:

> The users of braceros were put on notice that this supply of foreign labor was, by Congress' decision, to be cut off.

He further declared in the same statement that the issuance of the December 19 regulations under the immigration law "does not imply that there will be any large-scale use of foreign workers in the future. To the contrary, it is expected that such use will be very greatly reduced and, hopefully, eliminated."

Subsequently, during the hearings before the Senate Committee on Agriculture and Forestry on January 15 and 16, 1965, Mr. Wirtz attributing to Congress an intent to nullify the Immigration and Nationality Act said on page 66 of the hearings:

> Or in short, Congress stopped this law (Public Law 78) and the rest of the legal point is that it will not be reinstated by administrative action through the back door.

I presume he was speaking of the immigration law in his reference to "the back door."

Later in his testimony following rather intensive questioning he did admit that the provisions of the Immigration Act clearly authorized the admission of supplemental farm workers and could be used for that purpose.

Notwithstanding this admission, the Department of Labor persists in contending that Congress intended to cut-off needed supplies of supplemental farm workers.

On August 22, the regional administrator of the U.S. Employment Service, Ernest Marbury, according to a United Press release, said:

> The Department of Labor's action was in accord with congressional directives in an effort to eliminate the mass importation of foreign agricultural workers.

The action referred to was the approval of 600 British West Indians to cut sugarcane in Florida for 2 months. This was permitted only after extraordinary and intensive recruitment failed to turn up domestic workers.

I wish I had time to tell about the absurd requirements of the Department of Labor. We had to recruit labor in Alabama, Louisiana, Tennessee, Georgia, and all across the east coast. Then we were sent to Puerto Rico to recruit labor, in spite of the fact that the Commonwealth of Puerto Rico would not permit its workers to come to the States south of the Mason-Dixon line. The amount of the expenditure was enormous.

Every Secretary of Labor before this one has known and found that domestic people will not get on their knees in the muck fields with machetes and cut cane, as is required.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. LAUSCHE. Mr. President, where did the 600 workers come from?

Mr. HOLLAND. They came from Jamaica.

Mr. LAUSCHE. Under what law?

Mr. HOLLAND. Under the immigration law, Public Law 414.

Mr. LAUSCHE. They came here for what period of time?

Mr. HOLLAND. They came here for the sugarcane planting season, a period of approximately 2 months.

Mr. LAUSCHE. What will happen after they serve their 2 months here?

Mr. HOLLAND. They will go back to Jamaica.

The Secretary applied the same conditions with reference to our harvesting labor. We were told in San Juan that they would not permit any of the few who were qualified to do this work to come and assist in the harvesting. Our harvesting season happens to be the same as theirs, and they harvest in the same way that we do.

Mr. LAUSCHE. Mr. President, whenever workers are brought to our country under the immigration law, they are brought in for the purpose of serving in an emergency, and when the emergency is over, they are sent back to the country from which they came.

Mr. HOLLAND. The Senator is correct. A bond must be put up before the workers are brought in, to guarantee against their remaining here.

Mr. LAUSCHE. Mr. President, that would mean that they do not remain here as a permanent, competitive labor force.

Mr. HOLLAND. The Senator is correct.

The clearest possible showing of the intention of the Department of Labor is shown in its justification to Congress of its request for additional appropriations to enlarge its recruiting program. I quote from such justification, as filed with the Senate Committee on Appropriations, the following statement of the Department of Labor:

> The task is now expected to be rendered singularly more difficult, since it will be directed toward the complete transition from foreign to domestic labor.

The contention that Congress intended to nullify the authority to admit supplemental workers under the immigration law is completely at variance with the fact and every official of the Department of Labor should know this is the case.

In the debates on the most recent extension of Public Law 78 in 1963, the point was made over and over that Public Law 414, the Immigration and Nationality Act, was in no way affected by limiting the extension of Public Law 78 to December 31, 1964, only. I discussed this at great length on the Senate floor on June 30 of this year. At that time I inserted in the RECORD colloquies between Senator MCCARTHY and Senator PROXMIRE and myself which took place on May 15, 1963, on this subject.

I quote them again for emphasis:

> Mr. MCCARTHY. Mr. President, will the Senator yield?
>
> Mr. HOLLAND. I yield.
>
> Mr. MCCARTHY. Will the Senator explain who in the opposition does not understand about Public Law 414?
>
> Mr. HOLLAND. Does the Senator from Minnesota mean that he understands that thousands come in every year from Mexico?
>
> Mr. MCCARTHY. I certainly do.
>
> Mr. HOLLAND. I withdraw my statement as to the Senator from Minnesota. I do not withdraw it as to some other Senators.
>
> Mr. PROXMIRE. Mr. President, I hope the Senator will withdraw it so far as the Senator from Wisconsin is concerned. I am thoroughly aware of the situation and have been for some time. I also know that the Labor Department has cracked down on the program very stringently. The Labor Department is now following a policy far different from that past policy. The expectation is that the number of Mexicans who will come into the country in the future under Public Law 414 will not reflect any diminution in the number that would come in under Public Law 78.
>
> Mr. HOLLAND. I wonder if the Senator agrees with the statement of Mr. Henning, Under Secretary of Labor, when he said that Public Law 78 is a better law than Public Law 414.
>
> Mr. PROXMIRE. I agree that Mr. Henning made that statement.
>
> Mr. HOLLAND. Does the Senator agree with the conclusion?
>
> Mr. PROXMIRE. In answer to the statement of the Senator from Florida, in the first place, I would like to eliminate Public Law 78. Then it would be possible, under present policies which have been followed by the Department of Labor since June of this year, to limit the number coming in under Public Law 414, to provide for the legitimate need for additional Mexican workers.

This shows that it is not only a recognized fact that the immigration law was

still in force, but also that it would still be used.

This is what the able Senator from Wisconsin said:

The expectation is that the number of Mexicans who will come into the country in the future under Public Law 414 will not reflect any diminution in the number who come in under Public Law 78.

That was the Bracero Act.

These exchanges on the Senate floor clearly show that there was no intention on the part of the Congress to stop needed supplies of supplemental farmworkers and that it was well understood that the Immigration and Nationality Act, Public Law 414, was then available and would remain available after the expiration of Public Law 78 for the importation of supplemental farmworkers.

Mr. President, the Secretary appears to think that the unemployed domestic workers of our country might be good orange pickers in Florida or good apple pickers in Virginia.

I am glad to see on the floor the distinguished Senator from Virginia [Mr. BYRD]. Virginia is a State which needs apple pickers. Florida needs orange pickers.

We find that only a small percentage of the labor force is willing to climb ladders, and only a small percentage of the workers become proficient in picking the fruit from the trees.

The Secretary also argues that no supplementary workers should be permitted to enter the country because of the domestic unemployment problem.

If the Secretary were to find that their coming into our country was adverse, and he were to file an affidavit to that effect, that would control. However, he cannot supply information upon which depends our chance of obtaining workers when we need them. If we do not get them, we shall suffer the great losses which we have suffered this year.

In disregard of recognized facts, he forced growers to undertake fruitless, but expensive, recruitment activities. In addition, he launched a special program to get the unemployed to accept farm work. This was done at great expense to taxpayers and the results were negligible.

Thus we have a situation where the Secretary of Labor departed from judgments based on factual needs of agriculture. Instead he substituted for factual findings, his own predilections and assumptions.

These actions have deprived agriculture of its opportunity to exercise its rights under the law to obtain needed supplemental workers.

It is this type of action to which everyone should take exception. I say, as strongly as I can, that there must be a way to get the facts as to agricultural labor supplies and availability to the Attorney General in response to congressional direction.

This is what section 706 would do. This section takes away no authority whatsoever from the Attorney General. He has and would retain complete authority to admit or deny the entrance of nonimmigrant agricultural workers.

Neither does it remove any authority of the Secretary of Labor for the simple reason that with respect to section 214(c) of the Immigration and Nationality Act—the section concerning the entry of nonimmigrant workers—none has been conferred on him by the Congress. His functions are only advisory, although admittedly his recent actions have the effect of converting advisory functions to regulatory authority.

It is important to an understanding and fair determination of the questions involved here to bear in mind that the alleged authority of the Secretary of Labor is strictly advisory. This should be emphasized in view of the statements made in the minority report and in the press that this provision would take away authority from the Secretary of Labor and confer it on the Secretary of Agriculture.

A mere reading of the provisions of the law is sufficient to make it clear that complete authority is vested in the Attorney General and no other official has anything but consultative or advisory duties.

Section 214(a) of the Immigration and Nationality Act provides:

The admission to the United States of any alien as a nonimmigrant shall be for such time and under such conditions as the Attorney General may by regulation prescribe.

Section 214(c) reads as follows:

The question of importing any alien as a nonimmigrant—shall be determined by the Attorney General after consultation with appropriate agencies of Government upon petition of the importing employer.

The report of the House Committee on the Judiciary—House Report 1365, February 14, 1952—on the Immigration and Nationality Act stated:

These provisions of the bill grant the Attorney General sufficient authority to admit temporarily certain workers, industrial, agricultural, or otherwise, for the purpose of alleviating labor shortages as they exist or may develop in certain areas or certain branches of American productive enterprises, particularly in periods of intensified production.

The Department of Labor, at my request on May 14, 1963, submitted a memorandum of law on the Secretary of Labor's powers to promulgate rules, regulations, and policies relating to the admission of aliens, other than Mexicans, for temporary agricultural employment in the United States.

The memorandum states:

It is appropriate at this point to observe that the role of the Department of Labor in this process is basically an advisory one. As an agency designated by the Attorney General for consultation in deciding questions under section 214(c) of the Immigration and Nationality Act it issues the clearance order which has been requested with respect to the availability of domestic labor and the observance of Employment Service policies. That certification has no operative effect as such. The ultimate decision in these cases is the responsibility of the Attorney General who has imposed the requirement of the clearance order.

In testimony presented by Mr. Albert Misler, Deputy Associate Solicitor of the Department of Labor, to a subcommittee of the House Committee on Judiciary on June 24, 1963, it was said about the Department of Labor's authority on the admission of aliens for temporary agricultural employment:

I would like to clarify something that has been unclear up to this point, that may be significant in connection with your consideration. Under the Mexican labor program, we make a statutory certification, the content of which is set out in the law. "In all other foreign labor programs, the certification we give is simply advisory to the Immigration and Naturalization Service."

In the case of Chase Glades Farms against Wirtz, to which I have previously referred, the statement by the counsel for the Government should be again emphasized. He said:

Section 1184 (i.e., section 214 of the Immigration and Nationality Act) makes it clear that questions relating to permission to import nonimmigrant workers are to be determined by the Attorney General. This court in its memorandum of opinion of May 6, 1965, clearly recognized what the statute specifically provides, namely, that the Attorney General may reject or accept what constitutes a recommendation by the Secretary of Labor.

It should be completely clear from all these facts, Mr. President, that we are not taking away power from the Secretary of Labor. We are putting it where it belongs, and where it can be exercised reasonably, and in such a way as to give the Commissioner of Immigration the information which he needs, and, if an error be made, to give the growers access to our courts. Mr. President, who wishes to continue to deprive our growers of access to their own courts?

Decisions on matters affecting the making of a crop necessarily involve a high degree of risk and call for careful judgment. Where such decisions are required by an agency of Government, the agency with responsibility for them should be the one fully conversant with agriculture's problems and needs. This is the philosophy of the Sugar Act of 1948. Under it payments are made by the Secretary of Agriculture to sugar producers when he finds: First, that no abusive child labor—as defined in the act—has been employed in the production of sugar; second, that the farm allotment has not been exceeded; third, that full wages have been paid workers; and fourth, that the wage rate prescribed by the Secretary of Agriculture has been paid.

The Department of Agriculture has the organization for making these findings. It has agents and county committees in every county. State committees function in each State. It has available to it specialists in every field. It also has information from and the assistance of the land grant colleges and the Extension Services. It maintains the Federal-State market news service and a crop reporting service.

It can be expected decisions will be more timely and most of the conflict now existing between farmers and their Government should be eliminated. Because the Secretary of Agriculture knows and understands farming better than any other top official of Government, his

decisions will be met with more confidence than is now the case.

That is why all these farm organizations are supporting our amendment.

With the Secretary of Agriculture making the determinations required, the views of all interested parties will be received with equal interest and fairness. Findings, however, will be based on facts.

The Secretary of Labor can continue to supply any information or advice on matters about which he has any peculiar knowledge. Nothing in section 706 is designed to change the functions of the Employment Service as a service agency whereby people desiring jobs in agriculture can be sought and can make their availability known and employers can ascertain their readiness to work.

With respect to domestic labor, the Secretary of Labor is given authority by the Congress under the Wagner-Peyser Act of 1933 (29 U.S.C. 49b and 49k) to promote and develop first, a national system of employment offices; second, to maintain a veterans service; third, to maintain a farm placement service; and fourth, to maintain a public employment service to assist in establishing and maintaining systems of public employment offices in the several States. The U.S. Employment Service was authorized to "assist in coordinating the public employment offices throughout the country and in increasing their usefulness by developing and prescribing minimum standards of efficiency, assisting them in meeting problems peculiar to their localities, promoting uniformity in their administrative and statistical procedure, furnishing and publishing information as to opportunities for employment, and other information of value in the operation of the system, and maintaining a system for clearing labor between the several States."

As the following excerpts from the committee reports on the legislation show, there is nothing in the statute indicating that the Department of Labor is to exercise any substantive control through the utilization of the Employment Service.

These excerpts come from the committee's reports at the time of the enactment of the bill, subsequent to the enactment of the bill and from the provisions of the justifications of the Secretary when he asked for additional money this year, to better carry out his recruiting policies which was cleared by a subcommittee and by a full committee of which I am a member.

The report of the Senate committee on the bill—Senate Report 63, 73d Congress; S. 510—states the following as the purpose of the bill:

> To assist and stimulate the development of a system by the States, the Federal Government will give sums of money to match the moneys already appropriated by the States or set aside by the States, for the development of a free employment service. The committee feels that we should keep the pattern of the States in doing their own work in placement, and put the Federal Government in the position of helping and encouraging them to do so; the Federal Government being responsible for the statistical work and saving the States this expense, and the statistical information being available to all the States. The Federal Government is also to do research work, which is often too expensive for the States to do individually; the function of the States being to perform the task of getting the jobs and the workers brought together.

The House report—House Report 158, 73d Congress; H.R. 4559—stated:

> This bill in a word sets up a national system for cooperation with the various States and endeavors to promote the establishment and maintenance of national system of public employment offices; and for that purpose creates in the Department of Labor a bureau to be known as the "U.S. Employment Service" under the control of a director.

The Secretary of Labor will continue to be responsible for carrying out his duties as authorized by the Wagner-Peyser Act. Section 706 of this bill does absolutely nothing to change the functions of the U.S. Employment Service. It will create no duplications or confusions, nor will it transfer the Employment Service to the Department of Agriculture. The Department of Agriculture is not, under section 706, going to engage in the recruitment or placement of farm labor.

Now, Mr. President, one other point should be made clear and I am sure that the distinguished chairman of the committee will agree with me.

Section 706 would apply only to agricultural labor determinations.

I conclude by emphasizing again that one of the most essential reasons for this section is to get the facts—facts heretofore not obtained, ignored, or misunderstood—to the Attorney General for his use in making the decisions required.

No one is charged by Congress specifically with the responsibility for obtaining and keeping current the labor needs of agriculture as directed by section 706 of the pending bill.

Any decision affecting agriculture must be based on a knowledge of the total agricultural labor situation existing when the decisions are made. I repeat, any pertinent information of which the Secretary of Labor has knowledge can continue to be available in the decisionmaking process.

I urge the support of this section, and the defeat of the pending motion.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The time of the Senator has expired.

Mr. HOLLAND. One more minute.

Mr. ELLENDER. I yield the Senator a minute and a half.

Mr. HOLLAND. To cite one instance in which the facts as found by the Department of Agriculture would have saved a loss of $4 to $6 million this very year, to the growers of oranges in Florida, I wish to read from a letter of February 16, signed by William R. Huey, District Director of the Federal Crop Insurance Corporation, with reference to the condition of that citrus crop, which was not, under the present practice, acted upon by the Secretary of Labor. Apparently he did not even want to act. I quote only the last sentence from that letter:

> The factors noted above combined with the grower's inability to secure an adequate and timely harvesting force is resulting in a monetary loss of approximately $100 per acre since most of the fallen fruit was salvageable if it could have been harvested prior to the time deterioration and spoilage began.

To those who say that the Secretary of Agriculture does not have the information, does not have the field force, this is cited as an absolute instance in which great savings could have been accomplished had he had such information, force, and authority.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I yield 1 minute to the Senator from Florida.

Mr. SMATHERS. Mr. President, I desire to associate myself with the remarks of my senior colleague in behalf of the amendment which he has offered to provide an adequate labor supply to harvest fruit and vegetable crops. We in Florida have had difficulty from time to time in getting an adequate amount of domestic labor to do this type of work but were unable to do so. As a result it is vitally essential to the timely harvesting of these crops that offshore labor be imported for this purpose.

The amendment which I am cosponsoring with my very able and distinguished colleague provides that the Secretary of Agriculture make a specific finding of labor needs and the time when such needs exist. It is apparent that this is the proper department of Government to make such a factfinding determination.

The amendment does not take away any jurisdiction from the Secretary of Labor or the Attorney General of the United States. In fact, I feel very deeply that the amendment will be of great assistance to both of these Cabinet officers.

Certainly if domestic labor were available I am confident that insofar as Florida is concerned, and I am sure this is equally true of other parts of the Nation, that they would be utilized. We have, however, experienced great difficulty in getting an adequate supply of domestic labor to do this type of work. Consequently we have repeatedly become involved in factual differences with the Department of Labor as to these needs. Recruitment plans by agricultural interests for domestic labor have failed. Consequently delays have occurred in harvesting fruit and vegetable crops, as well as cutting of sugarcane at a time when such labor should be available for these purposes.

I feel that the amendment is a good one, will resolve much of the difficulty we have had in the past and be of substantial benefit not only to agricultural interests but to the consumers of this Nation as well.

Mr. President, for these reasons I sincerely trust that the amendment to eliminate section 706 of the bill respecting future determinations as to the use of offshore labor will be defeated.

Mr. BASS. Mr. President, I yield the Senator from New Jersey 10 minutes, or whatever time he needs.

Mr. WILLIAMS of New Jersey. Mr. President, I very much appreciate the generosity of my friend the Senator from Tennessee. I endorse his eloquence in dealing with the amendment added by the Committee on Agriculture and Forestry. I shall support him as strongly as I can in advocating the acceptance of his amendment, which would delete section 706.

It seems to me that we revive this entire subject on the floor of the Senate every fortnight. The issue is repeatedly raised by the distinguished senior Senator from Florida. I am not complaining that we have heard all of the arguments so many times before, but I am stating that we have heard all these arguments before.

I know of no issue that has seemed to present more panic, fear, and fancy than the question of whether we are meeting the needs of agriculture with American migratory farmworkers.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. HOLLAND. Did the Senator not state earlier that he was present in the Florida strawberry fields earlier this year, when a great loss was being sustained and labor was not available, and that he called upon the Secretary of Labor to ask that labor be made available immediately, and was that not done?

Mr. WILLIAMS of New Jersey. To err is human, and I made an error.

I was in the fields in Florida. Four major growers persuaded me that during the following week they would be in serious trouble because their crop would be ready for harvest, and they did not have enough workers.

I called the Secretary of Labor, and he sent the 300 additional foreign workers. Only then was it found that these additional workers were not needed. These workers were then sent to other areas.

So I made a mistake, and Secretary Wirtz made a mistake, too, at my urging.

The distinguished representative from that area joined me in that request for workers. When the time came, they were not needed because there were enough Americans present to harvest the crop.

Mr. HOLLAND. I am glad we had available someone who had more influence with the Secretary of Labor than we had, because we had made that request and it was not granted.

Mr. MURPHY. Mr. President, will the Senator from New Jersey yield at that point?

Mr. WILLIAMS of New Jersey. The growers up there were persuasive. They persuaded me that there would be trouble in citrus because the crop could not be harvested. I was anxious and apprehensive, but my fears were fanciful, because that did not happen, either.

Can the Senator from Florida enlighten me as to the nature of an organization called the Florida Citrus Commission? I am informed that this is an official body. Am I correct in that understanding?

Mr. HOLLAND. The Senator is correct.

Mr. WILLIAMS of New Jersey. A few weeks ago, the Florida Citrus Commission stated:

> Florida orange juice is at the lowest price in years. Here is why. Over the past couple of years, oranges have been in short supply, but this year growers report one of the biggest crops in history. A big supply means one thing: lower prices. The price is so low, in fact, that orange juice is one of the most inexpensive drinks that anyone can buy.

Mr. HOLLAND. Mr. President, will the Senator from New Jersey yield at that point?

Mr. WILLIAMS of New Jersey. That comes from the Florida Citrus Commission. Yet earlier, it was feared——

Mr. HOLLAND. Mr. President, will the Senator from New Jersey yield at that point?

Mr. WILLIAMS of New Jersey. It was feared that the oranges were going to rot. Now they are producing oranges at such a rate that orange juice is at the lowest price it has been in years.

Mr. HOLLAND. Mr. President, will the Senator from New Jersey yield?

Mr. WILLIAMS of New Jersey. I am glad to yield.

Mr. HOLLAND. The very thing which produced the crisis in the mid-season orange crop was the fact that the Secretary of Labor was not willing to understand that in the production of perishable crops it varies from year to year, and that we had a very much larger crop this year, as we showed him, and as the Department of Agriculture further showed, and yet he wished to hold us to the level of workers of the year before.

There could not be a better showing of the futility of trusting someone who has no understanding of basic facts.

Mr. WILLIAMS of New Jersey. Notwithstanding all the charges leveled at Secretary Wirtz, the fact is, as reported in the most reliable financial newspaper I know of, the Wall Street Journal, that this year, farmers' net income promises to bounce up to $13.5 billion, or more. This would be the highest since the year 1953.

Naturally, everyone is very glad that this is true; but in listening to debate in the Chamber, one would get the impression that every farmer was heading for bankruptcy because he cannot get enough workers. The fact is, the workers are there. The crops are coming in. Prices are lower for perishable products today than they were a year ago at this time. We have checked that repeatedly, week in and week out.

Mr. President, let me make one or two more points. The Senator from Tennessee has most adequately analyzed the extraordinary parliamentary situation which we face. I do not know—perhaps I should not say it—but it seems to me that there is some legislative piracy here; we are being asked to take a program that is within the purview of the Department of Justice, an immigration bill, which assigns responsibilities to the Secretary of Labor, and have the Committee on Agriculture and Forestry change that law, notwithstanding the fact that jurisdiction over this bill clearly rests with the Committee on the Judiciary. That has been fully explained. We also all know that last year this body killed the bracero program.

I believe that this debate makes it transparently clear that what we last year did most directly is now sought to be undone most indirectly.

I cannot believe that if it is important for the Senate to live within its rules, written and unwritten, it will permit this violation here today.

Let me say, finally, that the Committee on Agriculture and Forestry has presented a fine farm bill. Many of us from the consumer areas followed it with great interest, and are most happy that the bill is one which we can support. However, in my judgment, the addition of this provision would seriously threaten the success of the farm program.

For that additional reason, I ask unanimous consent to have printed in the RECORD an editorial published in the New York Times today, which states that the pending bill is a good bill but levels a full blast against section 706.

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

[From the New York Times, Sept. 13, 1965]

SOME SENSE IN AGRICULTURE

While the Senate has completed most of its work on the farm bill, it still has to vote on the controversial proposal sponsored by SPESSARD L. HOLLAND, who wants to take control over importation of foreign labor from the Department of Labor and give it to the Department of Agriculture. This proposed amendment has the obvious backing of the big growers, who have resented Labor's efforts to curb the supply of cheap foreign workers for harvesting crops.

Even Secretary of Labor Wirtz has given too much ground in recent weeks to corporate farm interests basically opposed to the idea that higher wages and better conditions will eliminate any holdback on the availability of domestic labor. The attempt of these interests to hand over jurisdiction to Agriculture, which is already overworked and has no competence in labor administration, must be defeated, since its clear purpose is to disrupt progress toward decent working conditions in American agriculture.

The passage of the rest of the farm bill will aid farmers. It does not entirely measure up to President Johnson's pledge to strengthen farm income while assuring low prices for food; but it does make a distinction between the efficient factory-sized farms, which have been getting subsidies they do not need, and the marginal farms, which have been victimized by the technological revolution in agriculture.

There will still be big surpluses calling for expensive storage facilities. And there will still be too many farmers on the farms. But in contrast to previous subsidy programs, the cost of the new farm bill promises to give taxpayers some positive returns for the large amount of money being poured into agriculture.

Mr. BASS. Mr. President, will the Senator from New Jersey yield at that point?

Mr. WILLIAMS of New Jersey. I am glad to yield to the Senator from Tennessee.

Mr. BASS. I was about to invite the attention of the Senate to the editorial which appeared in the New York Times this morning in support of the farm bill. Most of the readers of the New York Times are consumers. Yet the newspaper commends the agricultural bill and points out that this provision certainly should not be enacted into law and has no place in the pending bill.

I am happy that the Senator from New Jersey placed the editorial in the RECORD for everyone to read.

Mr. WILLIAMS of New Jersey. One additional point. I should like to include in the debate at this point a paragraph taken from the Appropriations Committee report for the Department of Agriculture for 1966. As reported by the distinguished Senator from Florida [Mr. HOLLAND] the report calls for a comprehensive study by the Agriculture Department of the farm labor situation.

The Senator from Florida stated through his committee that:

> The committee agrees with the report of the House committee that there is a "severe shortage of farm labor" to meet peak needs of many of the Nation's producers. The committee believes that this situation will continue to exist. Unfortunately, there is a large void in the economic and statistical data upon which our farm labor policies are based. This should be corrected at the earliest possible date. For this reason the Department is requested to make a comprehensive study of the entire agricultural labor situation.

Mr. President, that was stated only a few days ago. Perhaps such a report should be made, but this hasty action is unwise. I understand everything the Senator from Florida has said except for one point which I did not understand. The Senator said that Florida growers were requested to go to Puerto Rico to obtain workers. I understood the Senator to say that we did not obtain Puerto Rican workers. It seems to me that Puerto Rican workers would certainly be the complete answer to the problem particularly in relation to sugar. Especially because of their experience in working in sugar in Puerto Rico.

Mr. MURPHY. Mr. President, will the Senator from New Jersey yield at that point? I can explain that.

Mr. HOLLAND. Mr. President, will the Senator from New Jersey yield?

Mr. WILLIAMS of New Jersey. I should like to yield first to the Senator from Florida.

Mr. HOLLAND. The requirement was imposed upon those seeking——

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Who yields time?

Mr. BASS. I yield 1 additional minute to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 1 additional minute.

Mr. HOLLAND. In the case of seed cane, we plant a whole stalk of cane sugar in the furrow, which produces the various shoots.

Mr. WILLIAMS of New Jersey. Who turned down the Puerto Ricans, or did they turn down the opportunity?

Mr. HOLLAND. They turned it down.

Mr. WILLIAMS of New Jersey. I cannot understand that. Even Florida's climate is similar to Puerto Rico's.

Mr. HOLLAND. All I can say is that the Secretary of Labor himself, obdurate as he generally is, admitted that he had gone the limit and that we could not get a single one of them.

Mr. WILLIAMS of New Jersey. This will have to be clarified, because I distinctly heard the Senator say that we were asked to go to Puerto Rico to get——

Mr. HOLLAND. If the Senator from Tennessee will yield me 2 minutes, I shall be glad to make a complete answer to that inquiry.

Mr. WILLIAMS of New Jersey. The imaginary geographical line was also mentioned too, earlier.

The PRESIDING OFFICER. Who yields time?

Mr. HOLLAND. If the Senator from Tennessee will yield to me, I will take but a minute to explain.

Mr. BASS. Mr. President, I yield 1 additional minute to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 1 minute.

Mr. HOLLAND. The fact is the Secretary of Labor imposed this condition. The people who went to San Juan were representatives of cane growers in the Okeechobee area, plus the Department of Labor, and were met with complete refusal on the part of the equivalent cabinet officer of the Commonwealth of Puerto Rico, the reasons being two: First, they would need cutters at the same time for their harvest season, and they were afraid some of the folks would stay here; second, on the racial question, they were not ready to permit their cutters to go to the southern section of the United States. The Department of Labor knows that, because the department's representative was there.

Mr. BASS. Was it the Puerto Rican Secretary of Labor who made that determination?

Mr. HOLLAND. The counterpart of our Secretary of Labor made that determination.

Mr. BASS. That is what I thought.

Mr. HOLLAND. Unfortunately, we had to abide by it, and the Secretary of Labor abided by it.

Mr. BASS. I point out that the Secretary of Labor in the Commonwealth of Puerto Rico handles the same problems as the Secretary of Labor in this country.

Mr. ELLENDER. Mr. President, I yield 5 minutes on the amendment and 5 minutes on the bill to the Senator from California [Mr. MURPHY].

Mr. MURPHY. Mr. President, before I begin my prepared statement, let me say that there were 600 Puerto Ricans available to come into California to pick the early tomato crop. The producers would have sent an airplane to pick up the workers and would have paid the cost gladly, but the Secretary of Labor had made a stipulation that no one of them was to be used until after September 1, at which time about half the crop was damaged in the Merced area with 25 million pounds of tomatoes left to rot. I do not know whether that is the same group of 600 workers to which reference has been made, but that is what happened in California.

Mr. President, I wish to join with the distinguished Senator from Florida in expressing the hope that the Senate and the conference committee will retain section 706 in the farm bill, so that at long last we may begin to take a practical, enlighted, workable approach to the matter of supplemental foreign labor which, over the years, has come to the farms in 29 States to help at the peak harvest times.

As we know, the Attorney General by law governs the admission to our country of temporary foreign labor, under the Immigration Act, and by regulation has delegated to the Secretary of Labor the responsibility for deciding whether such foreign labor is necessary. With the expiration of Public Law 78, the Secretary of Labor assumed responsibility for all decisions as to whether foreign labor should be admitted to this country for agriculture.

The Secretary of Labor had an admirable hope that we might eliminate our unemployment by transferring great numbers of our urban unemployed to the farms to replace the temporary foreign farmworkers. He seemed not to realize that this was not a new idea, nor that the farmers always have been required by law, and have, in fact, hired domestic workers first—and were only permitted to hire foreign labor when the domestics were not available.

The fallacy of his plan was anticipated by nearly everyone but the Secretary himself and a few union leaders who, for many years, have hoped to organize farm labor and who saw here an ideal opportunity to swell their membership ranks.

The disastrous results of the new plan were evident almost immediately at the beginning of this year. Only about 20 percent of the domestic unemployed transferred to the farms stayed on the job over 2 weeks, and the productivity of their efforts was only a fraction of that of our experienced, competent, domestic workers, or of the extra foreign help we had had in the past.

To repair the damage, Indians were brought in from the Midwestern reservations but, here again, the Secretary should have known that this had been tried unsuccessfully by the farmers in years past. Rather than help the problem, this further complicated it and the damage increased.

Next, the Secretary tried a public relations stunt refered to as "A-teams." This envisioned the use of vacationing high school athletes organized with coaches, and from all reports, because of lack of organization and planning by the Department of Labor, this resulted in a most costly, unpleasant, and unproductive fiasco. This, too, was not a new plan, as students have been used locally and worked well in the past, but when the Department of Labor stepped in, confusion prevailed. The story of the frus-

tration and failure is told in the California Farm Bureau Monthly of September 1965, and I ask unanimous consent that this article be printed in the RECORD at this point.

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

A-TEAM PROGRAM—A COSTLY BUNGLE

NOTE.—There have been good and bad reports on the U.S. Department of Labor A-Team program (Athletes in Temporary Employment as Agricultural Manpower). Here is a factual account of the program's operation in this State in the Stockton, Salinas and Blythe areas where the majority of teams were employed.

(By Betty Yater)

The general feeling among growers participating in the A-team farm labor program in this State is that it would have worked much better had the U.S. Department of Labor stayed out of it. However, the Department not only jumped on the bandwagon of California's 2-year-old program of employing teams of youth in agriculture, but also took over in the driver's seat without knowing the first thing about handling the vehicle. The result was a bungle which has left some growers as well as some A-team members very bitter.

As readers of this magazine know, the California Farm Bureau Federation and other organizations joined with the Farm Labor Division of the State Department of Employment 3 years ago in a program to develop opportunities for more youth to work in agriculture. Through trial and error, successful procedures had been developed for placing teams of students supervised by their coaches or teachers in farm work, primarily harvest jobs. The major prerequisites for success were found to include: (1) paying the youth on a straight piece rate basis so the grower could afford to hire them, (2) maintaining adequate supervision and training, and (3) obtaining the students from distances relatively close by the job location.

U.S. Secretary of Labor W. Willard Wirtz heard about this program when he toured California this spring, took over the idea, tagged a new name on it (A-team), and announced it May 4 as one of his crash programs to supply California growers with farm labor. But although he grabbed the idea, unfortunately he did not take advantage of the experience this State has had in operating such a program, and even the California Department of Employment was not allowed to advise on the program.

At the beginning of the summer, California had 45 A-Teams representing 1,679 students, according to George Geary, deputy chief, farm labor division, State department of employment. Twenty-six of these teams were employed in Salinas, 12 in Blythe, and three in Stockton, with the remainder scattered over the State in areas with crops under harvest. The majority of the teams were from out of State. This wasn't because California students failed to sign up in the program. Rather, it was a case of schools in other States getting out in late May, while California schools finish the year's term in mid-June.

Deputy Chief Geary reported that San Diego County, for example, had signed up 1,200 local young people who were interested in working under the program, but only a few teams from that area had been placed. They were too late. Jobs had already been taken by out of Staters.

From interviews with growers, growers' labor association managers, and A-Team members themselves, it can only be concluded that personnel of the U.S. Department of Labor were determined to round up enough numbers of people to make good on the Secretary's statement that there are ample domestic people available to do farm labor. The A-Team program became one vehicle to be used toward this end. It was a crash program to prove a point.

But in their efforts to get numbers, recruiters apparently oversold the program to the young people. And growers were forced to take the A-Teams in order to meet criteria for the foreign supplemental labor they might need at a later date.

STUDENTS MISLED

Most of the students were sold the program on the strength of a very brief, hurriedly published brochure, and statements made by U.S. Department of labor recruiters. A-Team members interviewed in Salinas said they had been led to believe that this was a recreation as well as a work program—that recreational facilities would be provided and that participants would be coached in sports.

From the standpoint of the work part of the program, the students said they were led to believe they would be guaranteed $1.40 per hour regardless of their production. (In Salinas, after a training and trial period during which they did receive $1.40 per hour, A-Team members were placed on the going piece rate of $1 per flat of berries. This the students didn't like.)

Although they understood their food would cost $2.25 per day, some said they didn't realize this was to be deducted from their wages. All interviewed said they hadn't been told that insurance costs (social security, State disability and off-the-job medical insurance) would be deducted from their pay.

The youngsters said they didn't feel that living conditions and food measured up to what they had been led to believe they would receive. In sum total, the Salinas A-Teamers interviewed were not at all happy with the program.

One little, freckled-faced fellow interviewed really had a tiger by the tail. His room and board and insurance deductions were running about $3.50 per day. On the day interviewed, he had picked two flats of berries (earning $2), had given up, and was sitting in the bus waiting to be taken back to camp. To him the program was "a gyp. They are deducting more than I am making." However, on the counsel of his adviser, a college student accompanying the group, he was going to finish out his contract, because then the grower would have to pay his way home.

Even those A-teamers interviewed who had picked from six to nine flats in a day felt they were being "taken" in the program. Some were placing the blame on the grower because "he wasn't paying enough wages," others were blaming the recruiter who had misrepresented the program to them.

GROWERS MISLED

The growers were told they would receive junior and senior high school athletes accompanied by their coaches. They say they were also led to believe by U.S. Department of Labor personnel that if they cooperated in the A-team program, they would also receive braceros this season. Growers will tell you now that they were double crossed on both counts.

Some teams were comprised of 16-, 17-, and 18-year-old student athletes accompanied by their coaches. But there were far too many 14- and 15-year-olds in many of the groups, growers said, and some of these groups were accompanied not by a coach but by a college student.

When the Blythe growers, who had gone all out in cooperating on the program, tried to obtain braceros, they were turned down flat.

In both Salinas and Blythe, growers were sent more A-teams than they had agreed to take. In Salinas, Salinas Strawberries was saddled with 24 of the 26 teams in that area. Bill Pihl was pulled off his regular work with the firm and assigned to handle Salinas Strawberries' A-team efforts. According to Pihl, the firm, a former bracero user, thought it had agreed to take 90 boys under the program—until June 1, when suddenly they were deluged with A-teams, and eventually ended up with 868 boys.

This is like expecting one weekend guest and having nine show up. You make do as best you can in feeding and sleeping them. And thats exactly the position in which Salina Strawberries was caught. The firm didn't have facilities for such numbers, so had to quickly contract for use of camps in the area which had previously been used to house and feed braceros.

In Blythe, it was much the same story.

For several years, growers in the Palo Verde Valley, which lies along the Arizona border, had been using teams of athletes supervised by their coaches. Before the Secretary's tour, the growers had already started laying their plans for employing teams of youth in this summer's harvest of melons. Representatives of some of the growers had already been into Arizona to talk with coaches and junior and senior student athletes in high schools there.

The growers had decided they would recruit 150 Arizona high school athletes accompanied by their coaches. However, after the Department of Labor came out with its A-team program, the Blythe growers were talked into taking an additional 100 students, or a minimum of 250.

The growers went ahead with their plans and recruited 264 students in Arizona through a team made up of a growers' representative and a U.S. Department of Labor coordinator. Contracts were signed between the growers, the parents, and the A-team members before the latter came to the Palo Verde Valley to work.

Operating through Blythe Growers, Inc., a local growers' labor association, the farmers went all out for the 264 boys they were expecting. They rented new, air-conditioned apartments in the heart of the town to house the A-teams and leased the high school cafeteria to feed the boys. They hired semi-weekly maid service and weekly linen service. Since there is no municipal pool in Blythe, arrangements were made for the boys to use the swimming pools at various motels in the area and the use of local basketball and baseball facilities were obtained for them. The farmers even hired a local coach to work with the boys on their day off—they were to have 1 day off in 7 on a staggered basis.

The Blythe growers laid their plans thoroughly and were well organized. However, they ended up with just about double the number of boys they thought they were getting. Besides the original 250, they were sent an additional 235 by the Department of Labor. Like the Salinas growers, they had to scramble around and quickly line up additional facilities for the overflow boys, including leasing a labor camp formerly used for braceros.

It should be pointed out that of the areas in which interviews were made throughout the State, Blythe achieved the greatest success with the program. Some of the growers have made verbal agreements with some of the teams and their coaches to return next year.

What problems the Blythe growers did have were with the teams that were sent to them—those they didn't recruit themselves. On these, the growers report the boys were younger than anticipated and in many cases were not athletes.

In their own recruiting efforts, the Blythe growers had taken great pains to recruit boys from a similar climate, quite a factor in the

Palo Verde Valley where summer temperatures can rise as high as 119°. Some of the teams sent by the Department were from cooler climates, and the heat proved a real hardship for these.

Generally speaking, the Blythe growers were satisfied with the boys, but were upset over the costs incurred.

COSTS EXORBITANT

Growers had to foot the entire bill on the A-Team program, and it has been an extremely costly venture. The Secretary of Labor has spent the growers' money as though it were Government money.

Even though the growers received youth under the program—and some of the A-Teamers were mighty young—the growers had to pay them on the same basis as adult farmworkers. The growers had to provide each worker no less than 24 hours' training and a 40-hour trial period—a total of 64 hours—at $1.40 per hour. Thereafter, the A-Teams could be placed on piece rates if by record it was proven the worker's productivity was determined to be below that of the average qualified farmworker.

In Salinas, Salinas Strawberries guaranteed $1.40 for the first 64 hours, then put the A-Teams on piece rates. In Blythe, the growers paid the workers on the basis of $1.40 throughout the contract plus an added bonus of 10 cents a crate for melons picked and an additional 5 cents a crate if the A-Teamer stayed throughout his contract. The Blythe growers added the per crate bonus in an attempt to provide an incentive for the youngsters to work. Stockton growers, who used the A-Teams mostly in weeding and thinning operations, paid the young workers on the basis of $1.40 an hour throughout the program.

But the productivity of the A-Teams was not on a par with the average qualified farm worker. Nat Scatena, president of the Stockton Growers' Group, Inc., which managed the teams for growers in the Stockton area, ranked their productivity at .56 percent that of a qualified farmworker.

All growers interviewed reported they were having to pay for considerably more productivity than they were getting.

In addition, the coach or adult accompanying the team had to be paid on the basis of $4 per team member per week. Teams averaged 30 members each, thus the coach or accompanying adult received about $120 per week. The duties of these persons were not clearly defined. In the Salinas area they occupied the role of chaperones—staying in camp during the day while the boys were out in the fields. This meant the grower had to hire supervisors to work with the boys when in the fields.

In Blythe, the growers stated they were afraid to go along with the $4 per head per week arrangement since they believed it to be in violation of the labor contractor regulations in this State. So the growers made an arrangement with the coaches and other adults accompanying A-Teams to accept a salary of $25 per day (about $175 per week) and supervise the boys in the fields as well as chaperone them in the camps at night. Of course, the Blythe growers also had to maintain some field supervisors, since those accompanying the A-Teams knew nothing about picking melons.

(Editor's note: Farm Bureau's Secretary to the Labor Committee Tom Richardson points out that while paying the coaches on a fee-per-worker basis makes them labor contractors under the definition of California regulations, the A-Team program, a Federal project, would undoubtedly be exempt from State regulations.)

In Stockton, the A-Team coaches went into the fields to work beside their boys, but the growers' association also maintained its regular field supervisors.

In all areas, the supervisory costs on A-Teams were above, and in most instances about double, those required with adult farm labor.

Besides these costs, the growers were responsible for the transportation and subsistence to get the A-Teams to and from their hometowns. Growers stood the cost one way if the worker completed 50 percent of his contract, both ways if the A-Team worker completed his entire contract (contracts ranged from 4 weeks in the Blythe area to 6 weeks in Salinas).

As previously mentioned, out-of-State schools closed in late May, ahead of the California schools, therefore the A-Teams from other States got the jobs here and the growers were stuck with the costs of bringing them in.

Salinas received 26 teams—only 5 of which were from California. The remainder, according to records at the Salinas farm labor office, included: 10 from New Mexico; 3 from Utah; 2 from Kansas; 2 from Iowa; 2 from Idaho; 1 from Nebraska; and 1 from Wyoming.

When a grower starts transporting teenagers round trip from as far away as the midwestern States and paying for their meals en route, it is costing him a minimum of around $100 per youth, or an average minimum of $3,000 per team. And many of the growers found themselves paying for transportation costs both ways whether the youth completed his contract or not, because something had to be done with these teenagers.

As Pihl pointed out, "You can't abandon minors on the streets."

In addition, the $2.25 allowance for meals did not cover the costs incurred in providing menus to meet those dictated under the program. Besides paying the room costs, the growers were having to underwrite the food costs of their A-Teams.

According to Pihl, Salinas Strawberries will have lost about $75,000 out-of-pocket costs on this program by the end of the season.

Blythe Growers, Inc., had just finished its melon-picking season when interviewed and had not as yet assembled all A-Team costs. However, Manager Jess Barcala said growers' costs will run between $35,000 and $40,000 exclusive of wages and supervisory, State compensation, and social security costs.

But there was more of a loss to the growers than reflected in the aforementioned costs. Many also lost portions of their crops. Mother Nature was extremely cooperative this year in California. It was a good year weatherwise for summer-harvest crops. But even though the yields were abundant and the weather held just right, giving the grower prospects of harvesting top yields per acre, these yields failed to materialize.

Dan Riggi, supervisor for the J & A Farms in Blythe, for example, said his firm lost 40 percent of its crop of cantaloupes in the field. This year's workers, including A-Teams, left that many melons behind in the fields.

ADDITIONAL HEADACHES

There were headaches in the program over and above the financial ones, too.

The program in the Salinas area got off to a bad start. It had been misrepresented to the boys as to the type program it was, as to living conditions, and as to wages to be received. Salinas Strawberries received nine times the number of boys they had anticipated under the program. The camps leased for the boys were up to State standards, but not up to the boys' standards. The majority of the cooks had been accustomed to cooking for braceros, and the boys complained bitterly of the food's greasy and spicy quality. At one camp, the cook was changed four times in an attempt to satisfy the boys, but they were still complaining.

The attrition rate on the A-Teams in Salinas was extremely high. Some teams, as soon as they saw the camps where they would be living and learned they would go on piece rates after the training and break-in period, simply picked up and went home, according to Art Klein, Monterey County farm labor representative, State department of employment, Salinis.

One team from the Salesian High School in Richmond, Calif., left 3 days after arrival, Klein said. Another, from Newcastle, Wyo., left the fifth day after arrival, and two teams from Los Alamos, N. Mex., left 10 days after arriving. The Salinas area started the season with 868 A-Team members. The number had dropped to 322 by July 19, Klein reported. Of those leaving by July 19, only one team left because it had completed its contract—and not all of its members had stayed through the contract period. Only one team—the one from Waterloo-Cresco, Iowa—still had the same number it had arrived with, Klein stated.

An interview later in the day with the coach of the Waterloo-Cresco team—Charles O'Brien—revealed some of the reasons why the team was still together. The majority of the team members were O'Brien's own boys—junior and senior athletes who would be working under him this coming year. Before ever getting into the program, he said he held a meeting with the boys and their parents and essentially unsold them on the program. He presented it the way he saw it, not the way it had been built up by the recruiter.

Upon arrival here, O'Brien said he stuck to his guns until his boys were transferred into the best camp in the area. He worked out a split-the-cost arrangement among the boys on chartering buses and took the students around to see some of California on their weekends off. He coached them in sports each evening and said he tried to build a team spirit among the boys, a determination to stick out their contract. Besides having the only team with as many members as it started, O'Brien's team also had the fewest hours lost off the job—just 2 days missed because of illness.

But the success of Coach O'Brien and his A-Team definitely was the exception in Salinas. Another coach interviewed there—Merle Johnson of Wichita, Kans.—had started out with 36 boys from Wichita, 3 of whom he knew previously. Half of these boys, Johnson reported, went home the first week. When interviewed, he was the coach for the remnants of four teams which had been put together to make one.

Most of the A-Team members who stayed on in Salinas were disillusioned with the program, it appears. These youngsters were looking for a means to release their pent-up frustrations over a program which hadn't turned out to be anything like they thought it would be. A number took out their frustrations on each other in scraps. Some took out their feelings on the camp facilities, breaking windows and causing other damage. Two hundred of the boys took part in a food throw-in in the messhall at one camp.

Reports on the living conditions and rumors of all sorts and altercations reached home to the parents who understandably became alarmed and either sent money for their youngster to return home or complained to their elected representatives to do something about the program.

The U.S. Department of Labor had assigned five of its men to live one to a camp in the Salinas area to try to keep the lid on the program there. Of two of these interviewed, one, a young man, admitted he didn't have much patience with the growers in correcting conditions in the camps and was taking boys down to file complaints with the local labor commissioner.

According to Salinas Strawberries, as of July 20, a total of 83 complaints had been filed against them before the local labor commissioner. Pihl, a relatively young man, commented, "It looks like I'll be in court the rest of my life over this program."

Besides the complaints before the local labor commission, Salinas Strawberries was involved in a hassle with the U.S. Department of Labor over the manner in which it is paying the A-Teams.

According to Pihl, the controversy revolves about the productivity of an average qualified farm worker. By its records from previous years, Salinas Strawberries maintains the productivity of the average qualified farm worker in picking strawberries is 1½ flats per hour. On the basis of $1 per flat, their piece rate is higher than the $1.40 hourly minimum set this year by the Secretary of Labor.

However, Pihl says the Department of Labor has challenged the 1½ flats per hour as being too high. The Department, Pihl said, eliminated all foreign workers but included all youth workers in establishing its basis for productivity of the average, qualified farm worker.

Pihl also pointed out that Salinas Strawberries was 3 weeks into the program before receiving contract forms. The forms have to be signed by the A-Team member, his parents, his coach or supervisor, and the employer. On those members leaving in the initial portion of the program, Salinas Strawberries never had a contract. Of those remaining, they still don't have the contract on many, because they were sent to the parents for their signatures and haven't been returned.

The Blythe growers had relatively few headaches compared to the Salinas growers. Complaints and ruckuses were held to a minimum due to the day and night efforts of local Farm Labor Division Manager Jerry Smith and Blythe Growers' Manager Barcala, both of whom were determined their area was going to make a good showing in the program. Only 10 percent of the A-Team members there left before their contracts were up.

Stockton growers, who rented a good camp from a grower outside of town and put in basketball and baseball facilities, reported no complaints on the camp or wages paid. The problem was trying to get the growers to use the A-Teams, reports Scatena. (A-Teams had to be guaranteed work for three-quarters of the work days covered by the contract.)

There had been an influx of domestic farm workers into the Stockton area early this summer, the growers' labor management service president said. Growers were able to get adult workers at costs of $1.75 per hour including wages, transportation to the job and insurance costs. Consequently, he said, they weren't anxious to use the A-teams at costs about double that amount. But, as it turned out, the A-Teams didn't like the work and left before completing their contract.

IN SUMMARY

Although bitter over the mishandling and costs of the program, every grower interviewed said he would hire youth again—but to a man, each qualified the statement by adding "only if the U.S. Department of Labor has nothing to do with the program."

All in all, the A-Team program in California can only be described as a botch. California agriculture and the Farm Labor Division have a real job on their hands if they are to salvage their youth farm work program for future years after the setback the program received this year at the hands of the U.S. Department of Labor.

Mr. MURPHY. It is important to remember that the farmers had been assured that if they cooperated with the Department of Labor, followed the Secretary's criteria, and then it was still seen that they needed foreign help, that help would be forthcoming. Secretary Wirtz had personally assured that no crops would be lost for lack of foreign labor.

Each time attempts were made hopefully to cause the Secretary of Labor to see the error of his plan, they were greeted with new criteria, new conditions, and always the coercive threat that if the farmers did not accede to these demands, the farmers would never get any foreign help. It would almost seem that the Secretary was determined to destroy the farming industry, and the evidence of his reckless, arbitrary decisions crowds my office daily. The largest shipper of melons may have to go into bankruptcy. The largest grower of boysenberries has failed and sold out. The best known grower and packer of nectar peaches has lost everything he has spent 30 years in developing. The largest grower of tomato plants is in desperate straits—all due to the lack of farmhands for harvest—and this is only the beginning of the story.

Now that the peak of the harvest is here, the farmers are still being told to recruit domestics at a cost of over $100 per head for transportation, wherever they can be found west of the Mississippi River. In one instance, the Department said that the Dallas region had 2,500 workers available, but after 3 days of intensive recruiting by Federal, State, and private teams only 76 workers had been found. Only last week, the farmers in the Watsonville area of California were told that they should go to Poplar Bluffs, Mo., for 650 available workers. Recruiters went there and found 13 people to interview, 3 of them children, one with a broken arm, and 2 of whom said they could not do the work, with the result that a grand total of 6 workers was hired. Then the teams went to Springfield, Mo., where they interviewed 17, of whom 14 were hired after 3 had rejected themselves. The teams are still trying to find 12 more workers in order to make up a 32-man bus. This is not good business.

In summary, I can truthfully say that there has been a determined and extremely costly effort made by all concerned, both Government and growers, to implement the Secretary of Labor's theories, and we must finally come to the inevitable conclusion that the plan will not work. Everyone seems ready to admit this and to do what can be done to repair the damage except the Secretary himself. The San Diego Union of September 1 summarized the experiment very well, and I ask unanimous consent that this editorial be made part of the RECORD at this point.

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

[From the San Diego Union, Sept. 1, 1965]

TOO FEW BRACEROS IN STATE—MORE FARM LOSSES ARE FEARED

In a candid but apt statement a California farmer recently observed that officials seeking nonexistent American labor for farmwork would do more good if they went to work in the tomato fields themselves.

It is a strong observation that has just enough validity to make a point worth noting.

The point is that in spite of top-level and continuous efforts since cancellation of the bracero program, prematurely last December, there still is a severe and serious shortage of farm help.

Recruiters seeking thousands of workers throughout the Nation are finding only scores willing to work or available for employment. In the meantime, crops worth millions of dollars have rotted in the fields because there was no help to pick them; the price of farm table food has risen dramatically, and even Mexico has been hurt by losing the millions of dollars braceros returned to that nation each year.

The situation is still the same today as the California tomato crop approaches peak harvest.

Secretary of Labor Willard Wirtz now has belatedly authorized a total of 18,400 foreign nationals to help harvest the late tomato crop. While it is a step in the right direction, it still is inadequate. By knowledgeable estimates at least 23,000 to 25,000 braceros are needed to help harvest the tomato corps that are now on the vines.

The dictatorial attitude of the Secretary of Labor, in refusing to permit the additional help, is unreasonable and beyond understanding. It was only last April that the Secretary assured California farmers that if they planted tomatoes he would guarantee the necessary help to pick them.

On the basis of his word, California farmers planted 116,000 instead of the 80,000 acres of tomatoes they had planned. The 116,000 acres, incidentally, is a sharp reduction from the 143,000 acres of tomatoes the previous year.

In spite of the reduced acreage, the labor to harvest the vegetable still is not available and no amount of official statements can hide the fact.

The fact that there are fewer braceros working in the fields this year is not a matter of pride if it means that crops rot or that farmers plant less or move their operations to Mexico.

If pressure from the farmers, housewives, and concerned people cannot move the obstinate Secretary of Labor the case must be brought to the President and Congress.

As a first step, all possible steps must be taken to save the remainder of this year's crops in California. This will require at least several thousand additional braceros immediately.

On a longer range basis Congress should institute some modified form of bracero program that assures U.S. nationals who want to work in the fields of first priority for jobs but does not exclude use of American neighbors if they are needed.

Mr. MURPHY. Mr. President, the mathematics produced by the Labor Department would confound that most extravagant computer system. It has been pointed out with pride that there are 10,000 to 15,000 more domestics on California's farms at one point this year than there were at the same time last year. At the same time, however, there were 40,000 to 50,000 fewer foreign workers. Considering that the Secretary himself admits that it takes 13 domestics to replace 10 foreign workers—and our experience would indicate a much higher ratio—simple arithmetic will show that our farmers are short 50,000 or 60,000 workers.

What the Secretary's figures do not show also is that of the 12,000 to 15,000 so-called domestics newly on our farms this year, many, perhaps all, are really Mexican nationals who are permitted in because of their special green cards. Nor do the Secretary's reports reflect the

fact that 17 employees of the employment office, which is responsible for compiling figures on farm placement, have either resigned, been dismissed, or fired because of admitted padding of their figures. This is a scandalous situation, the full extent of which has not yet been uncovered, I understand.

For a moment, I should like to summarize the direct losses I have already mentioned: $15 million in tomatoes, $10 million in strawberries, $10 million in asparagus, and $2 million in citrus.

It is not yet possible to obtain figures on melons, brussels sprouts, lettuce, peaches, pears, grapes, pickles, olives, onions, and all the rest of the specialty crops, but I assure you that the cost will be very staggering indeed.

I ask permission at this point to have printed in the RECORD a letter from Salinas Strawberries, dated August 24, 1965, the article from the September 1965, California Farm Bureau Monthly concerning asparagus losses, and a telegram to me dated September 9, 1965, from Jack Bias, of the Grower, Shipper, Vegetable Association in Salinas.

There being no objection, the letter, article, and telegram were ordered to be printed in the RECORD, as follows:

SALINAS STRAWBERRIES,
Salinas, Calif., August 24, 1965.

HON. GEORGE MURPHY,
U.S. Senator, Senate Office Building, Washington, D.C.

DEAR SENATOR MURPHY: I think the following statements will be indicative of what can happen to the tomato industry in California for 1965.

Following, in brief, are the facts from Salinas Strawberries balance sheet and P. & L. as of June 30, 1965:

	1964	1965
Current assets	$2,283,165.00	$1,225,772.83
Current liabilities	$1,963,942.23	$516,231.09
Sales:		
Freezer	$1,583,710.24	$2,121,296.00
Fresh	$3,380,254.06	$1,175,206.04
Total sales	$4,963,964.30	$3,296,502.64
Net income	$732,429.50	($96,860.47)
Cost per pound (all costs except G. & A.)	$.1379	$.1780
Harvesting labor (only)	$.0820	$.1025
Production, in pounds:		
Freezer	11,312,216	10,962,622
Fresh	13,815,669	4,442,046
Total	25,127,885	15,404,668

It is evident from these figures that 10 million pounds of strawberries went to pay for sociological experiments for the unemployed, and also in the complete unconcern by the Department of Labor for growers in California.

We presented documented proof of need for supplemental help and were granted that help—4 weeks too late.

Those 10 million pounds should have made 12 million pint baskets of berries which in turn should have fed 24 to 30 million school children breakfast on Sunday morning.

However, they went to rot in the field. How much were they worth retail? Probably 50 cents per pint in your supermarket in the spring. This is $6 million of gross revenue loss in the economy by one grower.

I am appalled at what can happen to the tomato industry if they are treated as we were.

Perhaps a best seller sequel to "Six Days in May" will be written called "Thirty Days in September." It could depict the collapse of an entire industry due to the whims of somebody either in, or behind, the Department of Labor.

I hope this information can be of some use to you.

Best regards,

TOM MCNAMARA.

[From the California Farm Bureau Monthly]

INADEQUATE SUPPLY OF LABOR THIS YEAR CRIPPLES ASPARAGUS INDUSTRY

(By Betty Yater)

This year's inadequate supply of labor dealt a crippling blow to the asparagus industry in this State regardless of what the Secretary of Labor says about there having been "no serious shortages" of labor and only "some small crop losses" thus far this year in California.

Harvested asparagus acreage in the Sacramento and San Joaquin Delta area was approximately 41,000 acres this year compared to 58,000 harvested in 1964. On the 41,000 acres, growers harvested an average of between 35 and 40 percent of the yield.

This year's pack of white asparagus, which accounts for 60 percent of the crop annually, was less than half that of last year. This represents a minimum loss of $6.7 million to growers on white asparagus alone.

Such acreage and dollar losses cannot be passed off as small.

The California Asparagus Growers' Association, with headquarters in Stockton, has just completed an initial assessment and evaluation of the 1965 season which brought out the above figures.

In expanding on the loss, Association Manager Bill DePaoli points out that asparagus beds don't start producing at their maximum until their third year. Some beds will remain top producers up to 10 or 12 years, he said. In order to keep the harvested acreage at about 60,000 high yielding acres, the growers in the past have ripped out and replanted between 4,000 and 5,000 acres of older beds annually.

However, with the outlook for an adequate supply of labor what it was in late 1964, DePaoli stated that an association-conducted survey shows that growers plowed out 16,263 acres last year and this acreage included many beds which were good producers.

This brought the acreage to be harvested in 1965 down to 41,000 acres. Out of the 41,000 acres, more than 16,000 went to farn or was either chopped, disced or reridged in hopes of receiving labor and was lost, the association manager stated. During the 1965 season about 12,000 acres of white asparagus was harvested where normally 24,000 acres of white is harvested. And of that harvested, growers were able to get off about 35 to 40 percent of the yield.

"Not only that, but growers are wondering how much they have damaged the remaining beds," DePaoli pointed out. "Asparagus is never disced back after it has once gone to fern. However, with the inadequate labor supply they had this year, the growers just couldn't keep up with the grass. It kept getting away from them and going to fern. In a desperate effort to try to salvage just a little more of the crop and cut losses, growers were forced into the position of discing down asparagus which was well into the fern stage. We don't know how this is going to affect the plants—it could materially reduce the yield in coming years. Some of the fields look pretty sick right now."

Continuing, DePaoli said that because of the 400 percent above normal plowout last year, the projected plowout for this year was expected to be on the low side. However, because of the losses incurred during this year's harvest season, DePaoli stated that a grower survey just completed places this year's plowout at a total of 12,000 additional acres—or an accumulated total of 28,263 acres for late 1964 and 1965.

"We're going into the 1966 season with about 30,000 acres—slightly over half the normal acreage of this crop," DePaoli said and sadly added, "It is a crop for which there is market demand. West Germany wants all the canned white asparagus we can ship her."

LABOR AVAILABLE WAS COSTLY

The asparagus growers not only were confronted with severe labor shortages, but their costs in using the labor that was available this year were very high, reports Nat Scatena, president of the Stockton Growers Group, Inc., a labor management organization which serves many asparagus growers in the area.

Growers' labor costs in harvesting this year came close to doubling those of a year ago, Scatena said. The people available were inexperienced and required additional supervision, their productivity was poor, and the grower had to guarantee a minimum of $1.40 per hour. The attrition rate on these workers was extreme.

"The growers made every possible effort to find labor and tried everything that came along," the farm labor service president stated.

Last year 4,013 braceros were used in the harvest. This past season only 981 foreign workers were allowed to harvest asparagus.

Among the persons hired this year were day-haul workers; intrastate domestics recruited from Sacramento, Delano, and Bakersfield; and interstate domestics (both adult and youth groups) from Montana, Nebraska, Oklahoma, and Texas on which the growers footed the transportation costs.

The average number of man-work-days per individual on the intrastate workers was 2.7. To cite just a couple of the Stockton Growers Group's experiences with these men, on March 17, 15 men were received, on March 22 only 3 remained. These departed March 28. Another group—this one of 20 workers—was received March 20. On March 25, just one remained.

On their interstate recruiting, Scatena said on April 3, 66 American Indians of the Crow Tribe from Billings, Mont., were recruited and brought to Stockton at a transportation cost of $2,904.50. Because their deportment during nonworking hours was unacceptable to the neighborhood, on April 13 the growers had to return those remaining at a transportation cost of $2,316.

April 16, 72 Sioux Indians from Nebraska arrived on which the growers picked up a $3,520 transportation bill. An additional group of 36 arrived on April 20 with a transportation cost of $1,760; and the final increment of 10 Sioux arrived May 15 at a cost of $479. The personal and work habits of the Sioux were no better than those of the Crow, Scatena asserted. Voluntary attrition was swift, however, and as of June 15, just one Sioux remained and was working, he added.

One adult group of domestics (37) was recruited from Muskogee, Okla. Of this group, 6 departed without working at all; 3 departed after 1 day's work; 2 departed the following day; 6 departed after 3 days' work; and after 6 days work, only 14 remained. In addition, Scatena commented, insobriety contributed to some no-work days.

Trying to harvest with this type labor force was bedlam. The harvest normally lasts 120 days and starts in mid-February. However, the asparagus has to be cut every day or two during this period which means the growers must have a stable labor force.

Losses of asparagus became so great that finally in mid-May the U.S. Department of Labor allowed the asparagus growers the

use of 481 Japanese nationals already in the State and gave its permission to import 500 Mexican nationals. (Growers' records at the time showed a need for 2,000 supplemental workers.)

It wasn't quite as easy to make the arrangements to bring in the Mexican nationals as the Secretary of Labor had contended it would be. By the time the nationals did arrive in Stockton, in many instances it was just too late—the grass was too far along in the fern stage to be brought back.

However, since the growers had contracted for the nationals, they had to take them and provide work. One of the growers interviewed—Joe Cechini, who with his three brothers started the season with 1,500 acres of asparagus—said they had an out-of-pocket loss of $50,000 this year. Some of this was accumulated by trying to use braceros after the asparagus was too far gone, he said.

CANNERS AND CANNERY WORKERS LOST

Besides growers' losses, the canneries, their workers and suppliers lost money this year because of the lack of asparagus to process. Tri-Valley Growers, a growers' cooperative, reported deliveries of asparagus down this year to less than half that of 1964. According to Philip N. Mark, Tri-Valley vice president, this resulted in income losses to workers, members, and suppliers of $1,372,000.

A breakdown of these losses shows:

1. Cannery workers lost $232,000 in wages, contract benefits, and payroll tax contributions.
2. Raw-product payments to growers were reduced $666,000.
3. Purchases of cans were cut by $183,000.
4. Purchases of shipping cartons and labels were reduced by $35,000.
5. Purchases of incidental goods and services were cut back by $36,000 from 1964 levels.
6. Losses to Tri-Valley and its members as a result of the cutback were calculated at $220,000. This amount would have been available to pay overhead charges and returns to members had this year's pack equaled last year's.

A field representative of another canner reported that his cannery operated two 8-hour and one 4-hour shifts per day last year during the asparagus pack. This year, because they couldn't get the raw product, they were down to one shift per day—averaging between 6 and 7 hours.

On the basis of statistics accumulated, the California asparagus growers estimate the loss to the economy resulting from the reduced asparagus harvest this year will amount to well over $30 million.

GROWERS' REACTION

As to the future, the asparagus growers are waiting to see how the Secretary of Labor handles the tomato harvest. If the tomato growers get adequate labor supplies, asparagus growers interviewed say they probably will try to harvest again next year. If the tomato growers suffer the same fate as the asparagus growers experienced earlier this year, the grass men say they will plow out additional acreages and get by the best they can until the crash program now underway gets a mechanical harvester into the fields.

SALINAS, CALIF.,
September 9, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Wish to inform you present condition vegetable crops. Tomato harvest northern California greatly curtailed due lack of harvesting workers. Some cannery employees harvesting in morning in order cannery can operate in afternoon. Estimated tomato loss presently 25 percent. Slowness Department of Labor certifying Mexican nationals caused great deal this loss. Original certification for tomatoes northern California 8,000. Before these workers could be recruited from Mexico, Department of Labor increased certification. Although Mexico has cooperated fully and expedited recruitment orders for first 8,000 workers will not be filled until September 11. Before growers can receive their inadequate allocation tomato loss will be at least 35 percent. Central coastal area California provides large percentage fresh market tomatoes this time of year. Tomato growers furnishing fresh market production down 40 percent due to lack of harvest workers. First Mexican national arriving presently earning $30 to $40 a day which proves rate of pay very adequate. Growers Farm Labor Association received certification from California Department of Employment for 950 tomato workers and 1,000 strawberry workers on August 27. Department of Labor approved only 571 tomato workers. We will not receive any of these workers until September 12 due to recruiting procedures in Mexico. Strawberry harvest reaching peak of fall crop. Central California needs at least 1,500 workers. September 8 Department of Labor approved transfer 500 Japanese and 61 Filipinos for strawberries taking them away from pickle and tomato harvest in Stockton area which is also suffering. We are more than pleased to receive these workers, however, less than half number required. Brussels sprouts growers central coast area produce 90 percent of brussels sprouts for Nation. They are in need of 650 harvesters. Have not received certification for any, resulting early crop loss. Other growers vegetables such as cauliflower, celery, carrots, lettuce, struggling with inadequate harvest crews which is causing curtailed work union employees on packing sheds. We predict that with tremendous losses this year, acreage next year will be greatly curtailed resulting increased consumer cost. Presently price fresh tomatoes shipping point $5 which is at least double normal price, causing consumers to pay unwarranted high prices. Apparently California grower is forgotten man.

JACK E. BIAS,
Executive Vice President,
Grower Shipper Vegetable.

Mr. MURPHY. An article in the San Francisco Examiner of September 3 quotes a high Teamster official as saying:

Between 12,000 and 20,000 members of our union have been thrown out of work this summer by a decrease in farm production * * * many growers reduced their acreage in fear that they would be unable to get their crops harvested.

I ask unanimous consent that this article be printed in the RECORD at this point. It would seem that the figures of the Teamsters Union and of Secretary Wirtz are somewhat in disagreement.

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

CANNERY UNIONIST SAYS: "BRACERO CURBS COST JOBS"

(By Ray Christiansen)

For every bracero requested by a California grower and rejected by the U.S. Department of Labor, a California cannery worker has lost his job.

"Between 12,000 and 20,000 members of our union have been thrown out of work this summer by a decrease in farm production," it was reported yesterday by Peter Andrade, chairman of the Teamsters' Western Cannery Council.

"Many growers reduced their acreage in fear that they would be unable to get their crops harvested," he explained.

"Some of these and others who actually expanded their acreage this year were unable to harvest more than a fraction of their crops.

"With a shortage of field laborers, we don't know how we're going to come out in the tomato harvest."

SIXTY THOUSAND ACRES LEFT

Andrade, a Teamster International organizer, said there were 116,000 acres planted to tomatoes in California this year.

"Between 24,000 and 25,000 acres may be harvested by machine, and 30,000 acres by the Mexicans who have been permitted to come in," he said. "That leaves some 60,000 acres to be harvested by domestic labor."

Andrade pointed out that the Teamsters Union had recommended a gradual phaseout of the bracero program and had opposed the abrupt termination voted by Congress.

DOWN 40 PERCENT

A spokesman for the California Processors & Growers Association said:

"We estimate that the tomato pack will be down 40 percent this year. You can imagine the seriousness of this loss in wages when you realize that the tomato pack represents 70 percent of the farm products processed in California canneries."

The State Department reported yesterday that there is an immediate need for 14,000 additional tomato pickers in northern California.

The Department also reported that northern California growers, at the end of August, were employing 149,480 seasonal domestic (American) workers and 520 foreigners, compared with 142,780 seasonal domestic workers and 44,590 foreigners last year.

BIG NUMBER LOST

But the total number of farmers, unpaid family workers, regular employees and seasonal workers employed in agriculture last week was only 282,810—down a whopping 38,000 from August of 1964.

In other words, a 44,000 reduction in the number of braceros resulted in the creation of 6,700 farm jobs for Americans and the loss of more than 12,000 jobs for California cannery workers, truckdrivers, container employees and others.

Les Hubbard, spokesman for the Council of California Growers, said the 38,000 job loss figure, of course, did not include employment losses in such allied industries as trucking, containers and freezing.

Mr. MURPHY. It is, in short, a simple demonstrable fact that Mr. Wirtz' experiment to increase domestic employment on our farms has been a terrible, costly failure and that, in fact, by destroying agricultural production, he has reduced jobs in California this year. With 1¼ million jobs in California dependent upon agriculture, the potential mischief which could be caused by a continuation of the Secretary's policies is horrifying. The Secretary has also added to the age-old problem of illegal entry into California from Mexico, the full extent of which has not yet been assessed. I do have a letter from the Commissioner of Immigration and Naturalization Service indicating a 50-percent increase in the number of so-called wetbacks who have been returned to Mexico in the first half of this year, and I ask unanimous consent that that letter be printed in the RECORD at this point.

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

U.S. DEPARTMENT OF JUSTICE, IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., September 1, 1965.

Hon. GEORGE MURPHY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MURPHY: In response to your recent letter, control of the Mexican border has become more difficult in recent months. The number of deportable Mexican aliens found along the Mexican border during the period January 1, 1965, to June 30, 1965, was 30,623 compared to 19,474 during the same period of the previous year. Nevertheless the Service has been able to cope with the situation and control of the border is being maintained.

The 1966 fiscal year budget contains no additional funds or positions for this purpose and no additional funds or positions are expected to be included in the 1967 fiscal year budget.

Sincerely,

RAYMOND F. FARRELL,
Commissioner.

Mr. MURPHY. I would also point out that many of our farmers have given up trying to exist under the Department of Labor and have already moved to Mexico—never to come back, taking with them badly needed jobs and millions of dollars of payrolls. This, of course, has a bad effect on the balance-of-payments situation which has been so much discussed in this Chamber.

I submit that if I had not seen it I would never have believed it. Millions of tons of tomatoes, strawberries, asparagus rotting for want of hands to harvest it. There was no question of wages, Mr. President. A good man can earn $20 to $40 a day on our farms today. There was no question of willingness of the growers to cooperate. They spent thousands of dollars in an experiment they knew would not work simply because they were afraid of reprisals if they did not go along. Many farmers had been assured on the word of the Secretary himself that there would be no labor shortage in tomatoes—"go ahead and plant" they were told, and when they needed 25,000 workers for the harvest the Secretary grudgingly permitted only 8,000 at first and then later on when the pressure of politics entered the picture he added another 10,400 workers—and these, I might point out, are not yet in California—another case of "too little, too late"—so that one county has already lost almost half of its entire tomato crop.

And now, the worst news of all. We come to the inevitable conclusion that this fall and winter the housewives of America will have to pay for this unfortunate blunder every time they go to the market. The blunder is too big to be hidden, too important to be ignored, and too serious to be allowed to continue.

Mr. President, we have watched with dismay the experiment and I feel the time has come to call a halt and return the control of supplemental foreign labor to officials who know the facts of agriculture and are willing and able to assess the situation properly. As the distinguished Senator from Florida has so well stated, this is a problem of agriculture. The Secretary of Agriculture should have the responsibility and the knowledge to get the job done properly. I, therefore, urge all of my colleagues—on both sides of the aisle—not just the Senators from the 29 States who use foreign labor—but those from all States in the Union—because we all represent housewives and, most of all, we all want to do what is in the best interests of our Nation, and I do not believe an objective analysis of this year's events can leave any doubt that the best interest of the Nation is to be served by the retention of the amendment of the Senator from Florida, and a negative vote on the amendment entered by the Senator from Tennessee.

Mr. ELLENDER. I yield 20 minutes to the Senator from Virginia.

Mr. ROBERTSON. Mr. President, I hope the Bass amendment to strike out section 706 of the pending bill will be defeated.

When I first began corresponding with Secretary of Labor Wirtz on this problem back in March, the Secretary was confident he could recruit enough domestic workers to harvest the crops both on the west and east coasts without admitting any of the Mexican and offshore pickers who formerly were brought in under the bracero program.

But since that time the Secretary has had to break down and admit the failure of his domestic recruiting program in several instances.

First, he agreed to let California bring in about 2,500 Mexicans to try to save the strawberry and asparagus crops, and I am informed that he has more recently authorized a much larger number to pick tomatoes. Later he agreed to let about 700 Canadians cross the line to pick apples in New England.

Similarly, in Virginia, the Labor Department started out on the assumption that it could find enough domestic unemployed in surrounding States to pick apples now ready to be harvested. But last Friday the Department again admitted failure by authorizing the importation of 300 foreign workers for the Shenandoah apple crop.

Although there are about 600 domestic apple pickers now in Virginia from other Southern States, they are reported to be not too happy with the life of an apple picker, and, from what I hear, they are not very proficient at it.

I would like to read a letter from one of my constituents, who knows something about the problem and who wrote me as follows:

I have followed in the newspapers your efforts to secure an adequate picking force for Virginia apples. The Secretary of Labor may say that they should be given an opportunity to learn how to pick apples, but you can't teach old dogs new tricks, and the so-called pickers I saw were too old ever to learn.

They were averaging 20 bushels a day. Good pickers can average up to 150 bushels a day. At the going rate of 15 cents a bushel, these pickers pick $3 worth in 8 hours, for which we have to pay them at $1.15 an hour, a total of $9.20, so we are losing at the rate of $6.20 a day. No doubt, in due course, these figures will be presented to you by the Frederick County Fruit Growers' Association.

In his first letter to me on March 9, Mr. Wirtz said:

We are convinced that domestic workers will work in agriculture if satisfactory wages and working conditions are provided.

What this apparently means is that the Labor Department may be able to induce enough domestic unemployed to go out into the country and do harvesting work for which they have no experience, if the growers will sustain the loss resulting from their lack of training.

I should like also to read part of a letter Delmer Robinson, Jr., chairman of the Virginia State Apple Commission, wrote to President Johnson last March. He wrote as follows:

Canadian apples come into our country picked by foreign workers to compete with our apples. Mexican onions and strawberries picked by foreign workers are available now to American consumers. Bananas and meat grown by foreign workers arrive daily at our ports to compete with American-grown products.

Promoters bring in entertainers, such as the Beatles, and movie and stage actors from foreign countries to work where Americans are available. Foreigners populate our major league baseball and hockey teams. Many jockeys on our major race tracks are from other lands.

These people are applauded for their work. They take millions of dollars out of our land. Yet are they any better for America than the mundane apple picker, cane cutter, or vegetable worker who is also an expert in his field?

We all know that in recent years there has been an exodus of workers from the farms to the cities, and this has occurred in Virginia as well as other parts of the country.

One large apple producer informed me that, according to Census data, the number of farmworkers in Virginia declined more than 44 percent during the decade ending in 1960. This producer estimated that in the past 5 years there has been a reduction of at least an additional 25 percent.

On March 18, I sent Secretary Wirtz an editorial which pointed out that for years 40 percent of Virginia fruit has been harvested by off-shore Bahamians; that 1,000 Bahamians were employed last season to harvest apples in just two Virginia counties of Frederick and Clarke, and the adjoining West Virginia county of Jefferson. The editorial also pointed out that it would take 4,000 unskilled domestic workers to do the same job, and, of course, 4,000 domestic workers in that area are not available.

On August 25, I forwarded to Secretary Wirtz the estimate of Charles S. Toan, executive secretary of the Frederick County Fruit Growers' Association, that Virginia would need 5,000 workers to harvest the current crop. In that letter I said to the Secretary:

Since your present top estimate of the number of apple harvesters that you can bring into Virginia is only 500, why can't you now authorize Virginia growers to bring in up to 2,500 foreign apple pickers? That will still leave a demand for five times as many domestic pickers as I think you will be able to furnish. The picking season for some

types in Virginia will commence in early September, and it takes about 2 weeks to make the necessary arrangements to import workers from Jamaica or other off-shore islands.

Millions of dollars are at stake in a labor movement experiment which has not panned out in other areas and which is not going to pan out in Virginia, West Virginia, or any other apple State of the Atlantic seaboard.

Mr. President, you can see from Mr. Toan's estimate that the decision of the Secretary to let us bring in 300 is another case of too little and too late.

I have just been informed by J. Eldred Hill, Jr., commissioner of the Virginia Employment Commission, that his office made a final request for a total of 900 off-shore workers on a staggered basis, of which 300 have been approved. Virginia will need 350 more on September 18, so they can go to work on September 20. We will need 250 more as the crop increases, on September 25 to go to work on September 27.

These estimates assume that the domestic workers who have promised to come through our State recruitment show up. The Labor Department has promised to review Virginia's situation toward the end of this week, but that would be too late. The Department should be reviewing it now if we are going to get the next group of 250 on time.

Virginia needs almost 1,000 off-shore workers right now.

Mr. President, the sum total of the whole matter is this: The Department of Labor has been tried and found wanting in the matter of furnishing the technical advice with respect to the number of foreign workers needed to harvest row crops and fruit in this country.

The Senate ought to defeat the motion of Senator BASS, of Tennessee, and thereby keep in the bill the committee provision sponsored by Senator HOLLAND, of Florida, transferring to the Department of Agriculture jurisdiction over the number of farmworkers to be imported for this seasonal work.

This is a logical transfer of authority because Agriculture deals with farm problems, while the Labor Department deals with industrial problems.

Anyone who thinks that an industrial worker would be just as good on a farm, or that an unemployed city boy who has never had any experience in anything can be any good as a farmworker, just has never done any farmwork.

Successful farms are not operated by men without brains; successful farmwork is not done by men without training. The Department of Agriculture is close to the growers of fruit through the operation of our land-grant colleges, our extension service, our county agents, and our crop reporting service.

All these services are Government workers, just as are the workers in the Department of Labor, but they have dealt with farm problems and have been trained to do that type of work. And I am convinced that the Department of Agriculture could do the necessary job for one-tenth of what it has cost to do an inefficient job by the Department of Labor.

Since this was a new activity for the Department of Labor it asked for a budget in this current year to recruit workers of $40 million. To me that was simply an astounding amount to recruit workers to harvest citrus fruits in Florida; row crops, lemons, dates, and tomatoes in California, and apples in New England and the Middle Atlantic States.

But was that enough? It certainly was not. We have recently passed a bill, when the budget year is only 2½ months old, giving the Department of Labor an additional $1.7 million for this work. I am not at all sure that early next year the Department will not ask for another large supplemental appropriation, unless, of course, we transfer this function to Agriculture.

And, to me, another astounding fact is that when the Appropriations Committee had under consideration the request for a supplemental amount of $1.9 million—which was cut to $1.7 million—to locate the unemployed in one section and transfer men to another section for farmwork, I asked for a report on what had been accomplished up to this time.

I got one report which the experts on our committee staff said was absolutely meaningless. I insisted on another report and finally got one which attempted to enumerate the number of workers who had been recruited, but which showed nonreliable statistics as to who actually went to any particular job, and how long they stayed after they got there. And, of course, the report showed nothing on the crops that had been lost through failure of the Department to furnish the domestic workers as it had promised to do.

An indication of how big that loss has been in California has just been given us by our distinguished colleague from that great State, Hon. GEORGE MURPHY.

In the Appalachian area of Virginia, Maryland, and West Virginia we have an exceptionally fine apple crop. In spite of some drought, the quality of that fruit is good and the size of the crop is above average and, with the current rains, it is daily improving. But, unless we can get enough workers to pick those apples the growers in the Appalachian area will suffer heavy losses.

For a bushel of apples that go into the commercial market as U.S. No. 1's the growers this fall will probably receive $2.50 or $3 a bushel. If those apples drop to the ground and then go to the canners and to the cider plants, the growers will get $1 a bushel or less.

This all adds up to one of my favorite Thomas Jefferson maxims: "If we have to look to Washington for advice as to when to sow and when to reap, we will soon lack bread."

Mr. ELLENDER. Mr. President, I yield 5 minutes to the distinguished Senator from Colorado [Mr. DOMINICK].

Mr. DOMINICK. Mr. President, I support section 706 as it is included in the bill. I do so because I have made a fairly extensive investigation, not only following along on the groundwork done by the Senator from Florida [Mr. HOLLAND] and the Senator from California [Mr. MURPHY], but by following up suggestions from my own State.

I have received a series of letters in response to inquiries I made of the Colorado Department of Employment and various companies. I think the letters will prove to be important so far as the overall debate is concerned. The first letter I received was from the Department of Employment of the State of Colorado. I shall read a portion of it for the understanding of all Senators. It is helpful in determining the merits of the amendment now being considered:

Farmers are reluctant to use school youth in caring for, handling, and harvesting their crops.

Most farmers feel that the guarantee of $1.30 per hour to these workers is unreasonable and they would rather divert the planting of their land to crops other than those demanding large numbers of workers, than to depend upon school youth, particularly at the high wage established by the Secretary. Last year under the 90-cent-per-hour criteria established by the Secretary of Labor, three pilot crews of school youth were used. In order to make this possible, I contacted the Great Western Sugar Co., Holly Sugar Co., and Western Foods and asked them if they would underwrite any differences between the amount school youth earned and the 90-cent-per-hour rate. All of these companies mentioned had to make up a rather sizable deficit. When this was brought to the attention of the Federal officials their reply was that these young people had not been properly supervised and motivated and since under the Secretary's criteria it was the responsibility of the farmer to employ individuals who would properly supervise and motivate these workers, it would be necessary that we endeavor to work youth in the fields. There are some firms who are willing to employ the youth but not any large number of youth have been used. There are some areas in the State where some firms have used youth this year, as in the past, but these instances are few and scattered.

If conditions are normal next year, and if we have a normal spring, we will have very serious labor problems.

Mr. President, I was sent an article entitled "Buffalo Macaroni Firm Buys Tomatoes in Portgual," which was published in the July 31 issue of the Packer. The article was sent to me by a friend, Mr. John Ewing, who is prominent in agriculture at La Salle, Colo.

This clipping is entitled "Buffalo Macaroni Firm Buys Tomatoes in Portugal." It states in part as follows:

Due to restrictions on Mexican pickers, there either aren't going to be as many tomatoes processed in California this year, or the price is going to be out of line. So Horace Gioia, president of Gioia Macaroni, has been shopping in Europe for tomatoes.

Mr. Gioia is just back from Portugal and he says he'll buy about $150,000 worth of Portuguese tomato products this year, the closest thing he can find to California's. While he was there, he said, he ran into other big tomato shoppers like Campbell Soup, literally being forced to spend their money abroad and found that H. J. Heinz even has set up a plant in Portugal.

This is all because of the problem that we are having in obtaining a sufficient number of laborers to harvest, plant, thin, and cultivate the agricultural crops, which have overwhelmingly surpassed

the technological development of any other country in the world.

I have received a letter from the Holly Sugar Corp., which does business not only in my own State, in which its home offices are located, but also all over the country.

In reply to my letter, the vice president for agriculture of that corporation says, in part:

Farmers in western Colorado did reduce their beet plantings this season, even below the limitations of the Sugar Act program, because of the uncertainties of the labor supply as well as the increased costs and confusion created by the Secretary of Labor's criteria. The necessary $1.30 per hour earnings guarantee for beet field workers in Colorado, together with the uncertainty of the quality and productiveness of such labor, caused quite a number of our growers to drop their beet acreage allotments and turn to other crops not requiring hand labor.

Beetfarmers were not willing to accept the organized youth programs for their labor needs because of the apparent unwillingness of these young people to do sugarbeet field work, and their productivity did not seem to warrant the payment of the required guaranteed hourly wages. The overhead costs of the training and supervising necessary in such programs was too great to be added to the farmers' other operating costs. There are a few examples of good work performance when young people could use their own initiative to arrange their groups and working conditions at piecework rates.

The uncertainties and obvious conflicts in the rules publicized by the Department of Labor and by the USDA Sugar Division caused a number of farmers to give up sugarbeet growing entirely, at least for the 1965 season.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOMINICK. Mr. President, I ask that I may be permitted to continue for 1 additional minute.

Mr. ELLENDER. Mr. President, I yield 1 additional minute to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 1 additional minute.

Mr. DOMINICK. Mr. President, I am also in receipt of a letter from the Safeway Stores, Inc. This letter is from Mr. Robert Campbell, president of the Denver division of Safeway Stores, Inc.

The letter reads in part as follows:

Upon receipt of your letter, I directed inquiries to our personnel who work in this area. Needless to say, they expressed great concern regarding the migrant labor situation. They reported that produce had "rotted in the fields" due to lack of labor and that in some instances inexperienced help, both in the fields and grading sheds, contributed to the damage. Of course, as you know, time is a very important element in harvesting such crops and the product is lost if labor is not available.

As you indicated in your letter, there are other factors which contribute to the increase in the price of vegetables. For example, bad weather. One of the veterans in the business said that this is "the worst year in 30 to 40 years."

I hope this information will be helpful to you in your evaluation and I, too, look forward to seeing you this fall.

Mr. President, I ask unanimous consent that the clipping and letters to which I have referred may be printed at this point in the RECORD.

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

BUFFALO MACARONI FIRM BUYS TOMATOES IN PORTUGAL

BUFFALO, N.Y.—The Federal Government is complex and sometimes its policies get in the way of each other.

In the interest of solving the balance-of-payment problem, the Government wants individuals and business to spend fewer dollars outside the country. At the same time, in hope of putting more unemployed Californians to work, the Government has tightened restrictions on importation of harvest workers from Mexico.

Caught in the squeeze between these two government desires is Buffalo's $5 million a year Gioia Macaroni Co. which uses nearly 2,000 tons of tomatoes and tomato paste a year and usually gets the kind if needs in California.

Due to restrictions on Mexican pickers, there either are not going to be as many tomatoes processed in California this year, or the price is going to be out of line. So Horace Gioia, president of Gioia Macraoni, has been shopping in Europe for tomatoes.

Mr. Gioia is just back from Portugal and he says he'll buy about $150,000 worth of Portuguese tomatoes products this year, the closest thing he can find to California's. While he was there, he said, he ran into other big tomato shoppers like Campbell Soup, literally being forced to spend their money abroad and found that H. J. Heinz even has set up a plant in Portugal.

HOLLY SUGAR CORP.,
Colorado Springs, Colo., August 2, 1965.

Hon. PETER H. DOMINICK,
U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR DOMINICK: This is in reply to your letter of July 21 to Mr. Dennis O'Rourke regarding the effects of farm labor problems on our current sugarbeet acreage.

Farmers in western Colorado did reduce their beet planting this season, even below the limitations of the Sugar Act program, because of the uncertainties of the labor supply as well as the increased costs and confusion created by the Secretary of Labor's criteria. The necessary $1.30 per hour earnings guarantee for beet field workers in Colorado, together with the uncertainty of the quality and productiveness of such labor, caused quite a number of our growers to drop their beet acreage allotments and turn to other crops not requiring hand labor.

Beet farmers were not willing to accept the organized youth programs for their labor needs because of the apparent unwillingness of these young people to do sugarbeet field work, and their productivity did not seem to warrant the payment of the required guaranteed hourly wages. The overhead costs of the training and supervising necessary in such programs was too great to be added to the farmers' other cperating costs. There are a few examples of good work performance when young people could use their own initiative to arrange their groups and working conditions at piecework rates.

The uncertainties and obvious conflicts in the rules publicized by the Department of Labor and by the USDA Sugar Division caused a number of farmers to give up sugarbeet growing entirely, at least for the 1965 season.

The critical importance of maintaining maximum beet plantings to preserve the beet sugar industry in western Colorado is of serious concern to the farmers who are continuing to plant their own full allotments.

Holly growers in western Colorado have reduced their beet plantings by some 1,200 to 1,500 acres because of labor problems. However, the overplantings by certain farmers who are trying to maintain the sugar industry have held the net loss of acreage to about 8 percent of the total western Colorado area allotment.

Our beet growers have made some good progress in their effective use of improved seed, planting methods, chemical weed control, and mechanization, but they must have a dependable supply of the still necessary field labor, at reasonable costs, if they are going to continue to plant sugar beets.

This problem is of serious importance to Holly Sugar and to its contract beet growers in western Colorado. It also applies, with particular emphasis, in California and in Wyoming where we are also confronted with significant beet acreage reductions this year because of field labor problems and costs.

Very truly yours,

GLEN W. YEAGER,
Vice President, Agriculture.

SAFEWAY STORES, INC.,
Denver, Colo., August 13, 1965.

Mr. PETER H. DOMINICK,
U.S. Senate, Washington, D.C.

DEAR PETE: Thank you very much for your letter of August 5 inquiring about the lack of "stoop" labor as it involves such products as beets, tomatoes, potatoes, etc.

Upon receipt of your letter, I directed inquiries to our personnel who work in this area. Needless to say, they expressed great concern regarding the migrant labor situation. They reported that produce had rotted in the fields due to lack of labor and that in some instances inexperienced help, both in the fields and grading sheds, contributed to the damage. Of course, as you know, time is a very important element in harvesting such crops and the product is lost if labor is not available.

As you indicated in your letter, there are other factors which contribute to the increase in the price of vegetables. For example, bad weather. One of the veterans in the business said that this is the worst year in 30 to 40 years.

I hope this information will be helpful to you in your evaluation and I, too, look forward to seeing you this fall.

Sincerely,

R. L. CAMPBELL,
Vice President.

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Arizona [Mr. FANNIN].

The PRESIDING OFFICER. The Senator from Arizona is recognized for 5 minutes.

Mr. FANNIN. Mr. President, I appreciate the courtesy of the Senator from Louisiana in permitting me to make a statement in behalf of the amendment.

I commend the distinguished Senator from Florida for his informative remarks on the continuing farm labor problem.

I shall support section 706 of the farm bill, which is sponsored by the Senator.

Surely the experience of the past months has proved that the Secretary of Labor is more concerned with union positions than he is with the practical results of his administrative policies.

Philosophy is a fine thing, Mr. President, but it will not cultivate or harvest perishable food crops.

In his zeal to upgrade the wages and working conditions of domestic migrant labor, the Secretary of Labor has apparently overlooked the basic fact that millions of American consumers also deserve consideration. For that matter, so do the individual growers of such items as cantalopes, onions, tomatoes, and other produce.

A melon field under a blazing hot sun at harvest time—when timing and han-

dling spell the difference between profit and loss—is no place to wage a social revolution by the stubborn insistence of Federal bureaucracy.

With the expiration of Public Law 78, the Department of Labor confidently assured agricultural employers that sufficient numbers of willing and able workers could be produced—at the right times and places—to meet all needs. Against the better judgment of men with lifetime experience in these matters, Mr. Wirtz said imported labor was no longer needed. In the beginning this was not apparent.

The record is now in from many parts of the Nation, Mr. President, and that record shows clearly that Mr. Wirtz was wrong in many instances.

The Department of Labor, indeed, managed to produce large numbers of potential workers. But their inexperience—and in many cases, their lack of motivation or willingness to work—brought about a severe decrease in productivity.

This is particularly true in some areas of my State of Arizona, where there is no substitute for the experienced kind of stoop labor so essential at harvest time.

Melons must be picked carefully and at the proper time, for example, and when that moment comes, there is not time to run a training course for people who are out in the field for the first time.

In all of the turmoil and argument on this issue, one significant point has been overlooked. During the hearings last year relative to the expiration of Public Law 78, the Department of Labor stressed the fact that millions of unemployed adults were available and eager to take over the jobs being handled by braceros from Mexico.

The Department did not mention students as a source of field labor at that time. Then came the end of the bracero program, and we suddenly were told that teams of hardy teenagers were going to save the day.

With all due respect to the so-called A-teams, Mr. President, I submit the record has demonstrated that students are limited in their ability to meet the rigors of stoop labor.

There were some exceptions, of course, but I am informed that most of the growers are sadly disillusioned by their experience with the students as field hands. The brutal truth of the matter is that this is hard, hot, and demanding work—and it requires strong, mature, and experienced adults to do it.

Nearly all of the produce growers in my State are realistic and farsighted enough to know that permanent return fully to the bracero days just is not going to happen.

They also are aware that many of these crops may eventually be bred into varieties which can be machine cultivated and harvested, but that day is not here yet.

Meanwhile, during this interim period, the Department of Labor—in my judgment—is taking a very short-sighted approach in its consideration of the problems faced by growers of perishable crops.

These growers, whether they are large or small, are engaged in the most basic kind of free enterprise economy. By and large, they have thoroughly proved their ability to put an abundance of the world's best food onto the table of the American people—and at a price within the ability of nearly everybody to meet.

If we expect them to continue to place fresh produce on our tables economically, the Federal Government must realize and accept the necessity of imported experienced farm labor to meet peak seasonal needs.

This alone would be enough reason to support the position of the Senator from Florida.

I support this amendment of the farm bill.

Mr. ELLENDER. Mr. President, I yield 5 minutes to the distinguished Senator from Ohio [Mr. LAUSCHE].

The PRESIDING OFFICER. The Senator from Ohio is recognized for 5 minutes.

Mr. LAUSCHE. Mr. President, I support the Holland proposal, which is included in the committee bill. I do so for a number of reasons and I shall try to set them forth in a series.

First, this issue involved in the dispute that is now taking place on the Senate floor is one primarily affecting the farmers and not the labor unions.

Second, the immigration bill under which imported labor would be brought into our country requires that they be brought in only when there is a finding that they are necessary to supply a farm labor want.

Third, the bringing in of farm workers from foreign countries does not mean that they will remain here permanently as a force competing with domestic labor.

Those are the primary reasons why I support the Holland amendment.

Now I should like to discuss some paradoxes which appear to me to be connected with the Bass amendment.

Several months ago, on the floor of the Senate and the House of Representatives, there was debated the necessity of establishing an Urban Affairs Department in our Government. It was argued by the proponents of that measure that urban affairs are of a peculiar, unique nature, and therefore require a department separately manned by experts possessing knowledge of urban affairs.

That bill was passed. In the dispute pending on the floor today, however, it is said that the supply of labor to the farmer is primarily one concerning the labor unions, and not the farmers.

We are taking away, if the Bass amendment is adopted, the right of those who are fully informed to determine how this issue shall be settled. The Farm Bureau of the United States, the Grange of the United States, and other agencies contend that the present procedure, in which the Secretary of Labor determines what shall or shall not be recommended to the Attorney General, is wrong.

If there is anyone informed about what should be done, it seems to me that it should be the Secretary of Agriculture.

Is the Holland proposal fair? Does it take any powers away from the Secretary of Labor? The answer is that it does not. Every power of the Secretary of Labor remains intact. All that the Holland proposal does is give to the Secretary of Agriculture the authority and the power to determine, first, how many workers are needed to supply a want of the farmers; second, the number of workers available; and, third, the deficiency. That is all that it does. I cannot understand how it can be argued that that function should be performed by the Labor Department and not by the Department of Agriculture. Is there anything more closely related to the economy of the farmer than the need for an adequate supply of labor? His whole sustenance, his whole life depends upon the planting, the cultivating, and the final harvesting of his crops. This means farmworkers related to the farm economy.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LAUSCHE. May I have 1 more minute?

Mr. ELLENDER. I yield the Senator from Ohio 1 additional minute.

Mr. LAUSCHE. He is the one who is primarily interested. This is an agricultural problem. It is not a problem of labor unions, and for that reason, the authority to determine whether there is or is not an adequate supply should be vested in the Secretary of Agriculture, and not in the Secretary of Labor.

Mr. MANSFIELD. Mr. President, I yield 3 minutes on the bill to the Senator from Kansas.

Mr. PEARSON. Mr. President, the Food and Agriculture Act of 1965 is an act of much disagreement but all those who have studied this measure will agree on one point, and that is that this is a most complicated measure. Title I deals with wheat, title II with feed grains, title III with rice, title IV with wool, title V with cropland adjustment, title VI with cotton, and title VII provides for several miscellaneous provisions.

I direct my remarks, Mr. President, to the title dealing with wheat, but in so doing, I attempt to deal not so much with the specific provisions of this title, but rather with what I consider to be the fundamental problem of the wheat producer, that is, the problem of greater world markets for wheat.

Mr. President, every wheat program to date has been keyed to the U.S. domestic market. This market, however, is relatively stable in size. Yet we can produce vastly more wheat than we alone can absorb. Under these circumstances excess wheat production in relation to our own needs drives the price of wheat down. To avoid this, Federal wheat programs have been attempting to limit production, raise prices, and bolster farm incomes through the use of acreage allotments, production limitations, and price supports.

The important point is that only the size of the U.S. domestic market has figured in the formulation of domestic wheat programs. The export market has been, unfortunately, ignored. Yet new and expanded markets abroad mean greater demands for U.S. wheat. And as dollar sales of wheat increase in response

to these markets the need for limitations on production and price supports could be relieved.

The increase in U.S. wheat production would, undoubtedly, lower the price of wheat in the United States. But if increased sales abroad were great enough they could more than offset any fall in the price per bushel—the net result being an increase in farm income. And income per farmer is the important thing.

Mr. President, Kansas has a vital stake in wheat sales abroad. In the 1963–64 season:

Kansas produced 185 million bushels of Hard Red Winter wheat.

The United States exported 656 million bushels of Hard Red Winter wheat and flour—more than was produced in the entire United States in that year.

As the largest producer of Hard Red Winter wheat, Kansas produces primarily for foreign markets.

Thus, while agricultural statistics show that wheat exports are up these same statistics show that our dollar earnings are down.

Prior to World War II, Western Europe was the only major area of the world which bought wheat from other nations. Since World War II, Asia, Africa, and Latin America have joined Western Europe as wheat importers. Today only two major areas of the world—North America, the United States and Canada; and Oceania, New Zealand and Australia—are able to produce more wheat than their populations require.

Asia, Africa, and Latin America contain 2 billion of the world's 3 billion people. By the year 2000, their combined population will increase another billion. Unable to feed themselves now, they will need to buy even more wheat from surplus wheat countries. Potential foreign markets for U.S. wheat are great and growing greater.

U.S. exports of all types of wheat and flour approached 860 million bushels in the 1963–64 season—an all-time high. Only 350 million bushels—less than one-half—were sold for dollars. In the current year, dollar sales of wheat to other countries will fall to only 150 million bushels—a 15-year low.

Thus, in the face of rising U.S. wheat exports, sales of wheat to foreign countries for dollars are actually decreasing.

Now, both public and private efforts—such as those of Great Plains wheat—have been directed toward expanding foreign markets. But the major factor in expanding wheat exports over the past decade has been the food for peace program. Exports under this program, however, are paid for by the U.S. Treasury and not by the nation receiving wheat.

As the Senate well knows, the United States and a purchasing country enter into an agreement under the Food for Peace Act. The purchaser buys the wheat from private U.S. wheat dealers. The U.S. Treasury pays the private wheat dealers, in dollars, for the wheat sold. The purchasing country then pays the U.S. Treasury in its local currency for the purchase. The local currency cannot be converted to dollars but must be used for U.S. Government expenses for loans to the government which purchased the wheat.

As the Senate also knows, great amounts of wheat can be sold abroad in this manner. But these sales are limited because they must be financed by the Treasury and paid for by the taxpayers.

Mr. President, if food for peace provides the explanation for increasing wheat exports, several stumbling blocks account for declining wheat sales abroad for dollars. Since exports under food for peace are limited, the future of U.S. wheat exports is in our ability to sell more wheat in foreign markets for dollars.

In discussing very briefly these stumbling blocks, I must, of necessity, depart from the bill which is the pending business, but I do not depart from the real problem involved. For example, Mr. President, I think it most necessary that we take a long, hard look at the International Wheat Agreement. Major wheat importing and exporting nations are members of this agreement. The importing nations agree to buy a stated percentage of their wheat from the exporting nations within an established price range.

This agreement provides that the United States and Canada agree to withhold wheat from the world market until the price reaches a certain point in the established price range. Since these two great nations account for the vast majority of wheat sold under the agreement, they are practically able to stabilize the price of wheat. Yet while the United States and Canada withhold wheat and wait for the price to increase, other exporting nations sell at a lower price. We are thus faced with a leftover market. And we have sold less wheat this year to the agreement countries than in any year since 1949.

The international wheat agreement extended for 1 year must be modified to assure the United States of its proper share of the wheat market. If this cannot be arranged, Mr. President, there is little practical reason for us to continue as a member of the agreement.

As what may seem to be a further digression, I would direct the Senate's attention to our tariff negotiations as they affect wheat exports. The Trade Expansion Act of 1962 gave the President broad powers to negotiate lower tariffs for American exports. Current negotiations in Geneva—the Kennedy round—between the United States and European Common Market countries are a result of that act.

The countries of the Common Market are our biggest foreign customers for industrial and agricultural products. If Common Market tariff barriers to U.S. goods could be lowered, our sales to those countries would increase significantly. So far the European countries have refused to discuss agricultural tariffs. Add to this the fact that the Common Market is attempting to become self-sufficient in grain production behind a high tariff wall, and the future of American wheat sales to those countries appears bleak indeed.

The administration must make a determined effort to include agricultural tariffs in the negotiations. To do less is to sacrifice our most important foreign agriculture market.

Mr. President, another of the so-called stumbling blocks may have been partially removed and I refer to the matter of export credit. West Europe has the dollars to buy U.S. wheat. The underdeveloped nations of the world do not. Credit arrangements for dollar sales of wheat to underdeveloped countries are a necessity if we are to increase these sales.

The governments of other wheat exporting nations provide such credit. The Government-backed Wheat Marketing Board of Canada, for example, extends credit to underdeveloped countries for the purchase of Canadian wheat. Canadian producers thus receive payment immediately from the Wheat Marketing Board. The purchasing country pays back the Wheat Marketing Board over a period of years. No comparable service is available for private U.S. exporters.

This year the Senate Commerce Committee held hearings on the Export Expansion Act of 1965. While no bill was reported it now appears that the Export-Import Bank has taken administrative actions which would provide for greater flexibility in financing sales to countries with risky credit ratings. It is my hope that the Export-Import Bank will now move forward to equalize America's position on the extension of credit as compared with other exporting nations.

Another handicap to the wheat exporter is that of cargo preference statutes and executive orders.

Under the Cargo Preference Act of 1934, any export of American goods assisted by Federal financing arrangements—Export-Import Bank credit, for example—must be shipped in American vessels. American costs far exceed the world average. Consequently, the price of U.S. wheat delivered by American ships is significantly higher than that shipped in foreign vessels.

Cargo preference may benefit the shipping industry by giving it more business. But it does so at the expense of U.S. wheat sales abroad. If the Export-Import Bank should expand its credit provisions as mentioned above, we may still lose sales to other nations because of the cargo preference provision.

It is my understanding that pursuant to the action of the distinguished majority leader, the Committee on Foreign Relations will now consider whether or not it is the sense of Congress that if commercial exports are not required to be shipped in American vessels to the extent of 50 percent of the cargo, then that same limitation shall be removed from agricultural products. This would be a step forward in eliminating the cargo preference which has been a severe handicap to the wheat exporters. For as I have stated before the cargo preference seriously limits the ability of the United States to sell wheat to poor na-

tions who are extremely sensitive to price. This policy should be revised.

Total farm income is of great importance to the Nation. It is of even greater importance to Kansas. If that income increases, the Nation benefits. If it falls, the Nation suffers. With this in mind, the Government became involved in agriculture three decades ago attempting to assure the farmer a healthy and growing income.

The key, I would suggest to the so-called farm problem so far as wheat is concerned, is increased dollar exports. Markets abroad must be developed in order to ease present production limitations.

Mr. President, the world is hungry and growing hungrier. No country has been able to match American productivity and abundance. Yet our productivity is presently shackled. Kansas and the Nation have much to gain by looking abroad for increased wheat outlets.

Mr. TOWER. Will the Senator yield for 5 minutes?

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Texas.

Mr. TOWER. Mr. President, the provision of the bill we are now considering would place responsibility for the availability of farm labor in the hands of the Secretary of Agriculture, where, in my opinion, it has always belonged.

The determinations are, of course, primarily agricultural ones. Certainly the Department of Agriculture has more detailed knowledge of the production and harvesting of crops which may be adversely affected in an extremely short period of time by weather, market conditions, labor, and transportation availability and the like.

As well as detailed knowledge of these conditions that I have referred to, careful judgment is of corresponding importance. This detailed knowledge and careful judgment are much more likely to come from the Department of Agriculture, which is by its very nature more conversant of problems and needs.

Let us consider briefly the qualifications of the Agricultural Department to assume this responsibility. The organization for making necessary decisions is well established, with its county agents and committees throughout the Nation. Specialists in virtually every field are available, colleges and extension services are available, a Federal-State market and new service crop reporting service are presently maintained.

And I feel with the transfer of responsibility called for in this provision would go a long way toward eliminating much of the conflict we now have between the farm community and the Federal Government. Just the very fact that the Secretary knows more about farm problems and needs will, I believe, make for better relations between farmers and Government.

Much confusion and much conflict has arisen under present law. The amendment adopted by the committee will lessen this confusion and conflict.

I have introduced this year a bill which would leave this farmworker determination up to the chief agricultural official of each individual State. I believe this would be the best solution, because the needs of the States vary widely.

However, until that proposal can be adopted, it certainly is a step in the right direction to get Federal agricultural officials into the act, rather than the Labor Department.

Mr. President, we find ourselves in the present trouble because we were persuaded by some union leaders and some economists that we could help resolve our domestic unemployment problem if we got rid of bracero labor. This is not true. We cannot take a laid off industrial worker out to the fields to do stoop labor. He is not competent to do it, he does not want to do it, and he will not do it.

We have been told that some of the rioting which occurred recently in Los Angeles occurred because people were angry because they did not have jobs. Yet only a few miles away, in the fields of the great fertile State of California, there were crops rotting because there was no one to harvest them.

Mr. President, it is foolish to think we are going to help our domestic employment situation, because we are not, and the economics of that contention are absolutely false. What we are going to do is kill off our domestic fruit and vegetable industry. We are going to send it to Mexico and to other places. We are going to kill off the packing plants which can for export purposes. We are not going to create new jobs in this country.

Furthermore, we are going to compel the housewife to pay more for her groceries in the market. It does not hurt a wealthy family to pay an additional 10 cents for a head of lettuce, but the workingman who must work for a fixed wage will pay in the long run, if we do not have a bracero program, because his food will cost him more.

We are not helping the workingmen of the country by pursuing the course outlined by the Secretary of Labor. It is mandatory, if we are to preserve the fruit and vegetable industry, the cotton industry, and other crop industries, and if we are to preserve the packing industry and also maintain stable prices, that we adopt the pending amendment. We are much more likely to achieve these results and have the program operated in a viable and effective manner by giving this authority to the Secretary of Agriculture, who has the facilities for determining the actual needs in the 50 States, than by giving the authority to the Secretary of Labor.

I urge the adoption of the pending amendment.

Mr. BASS. Mr. President, I wonder if we could enter into an agreement fixing the time for a vote. I believe I have about 12 minutes remaining. I am about ready to vote, and I wonder if the chairman of the committee is ready to vote. I wonder if it would be agreeable to allot 15 minutes to a side, and thus wind up the debate.

Mr. ELLENDER. I have no objection.

Mr. HOLLAND. I should like to have 4 or 5 minutes to summarize my argument.

Mr. BASS. Five minutes would be sufficient for me. I therefore ask unanimous consent that the vote on the pending amendment come 10 minutes from now.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. Mr. President, will the Chair kindly state what action has just been taken?

The PRESIDING OFFICER. The Chair understands that the Senator from Tennessee has made a unanimous-consent request that the Senate vote on the pending amendment in 10 minutes' time, 5 minutes to be allotted to the Senator from Tennessee and 5 minutes to the distinguished chairman of the committee.

Mr. MANSFIELD. Fine.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, will the Senator from Tennessee yield to me briefly?

Mr. BASS. I yield 2 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. I wish to express my support of the Senator's amendment. I have been participating in the struggle with relation to braceros for a long time. I served on the subcommittee with the Senator from New Jersey [Mr. WILLIAMS] with regard to migratory workers, and I believe that we should give the present plan proper consideration as to whether it can or cannot work. We should not, in my judgment, try to change the base. I shall support the Senator's amendment.

Mr. BASS. I thank the Senator from New York for his support of my amendment.

Mr. President, in conclusion, let me point out exactly what the amendment would do.

It would have the effect of transferring the authority for making it harmful for the needs of nonfarm labor, immigrant labor, coming into the United States. We are not talking about farm labor. If we were talking about full-time farm labor, there would be no problem, but we are talking about the seasonal needs of labor brought in as immigrants into the United States to work.

The Secretary of Agriculture does not have the facilities or the personnel to determine where additional nonfarm labor exists, its availability and seasonal use therein involved.

It has been interesting for me to note, and I have listened attentively to the entire debate——

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. BASS. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 2 additional minutes.

Mr. BASS. Mr. President, all the discussion involved has pointed, not to the provision of the law which I seek to strike from the bill, or the provision in the

bill, but to reinstating the old bracero program, a program which Congress voted out of existence. This provision does not deal with the bracero program. This is dealing with the administration of migrant workers.

In my opinion, what is being attempted by the provision in the bill is to reinstate the bracero program. Evidently the sponsors of the bill feel that they can use the back door approach to reinstate a program which Congress voted out, by getting someone who might be, in their opinion, more sympathetic to the idea of bringing in immigrant workers. That is not what is involved in this provision of the law.

Accordingly, let us not try to reinstate a program through the back door which Congress has stated emphatically and affirmatively was wrong, was administered wrong, and should be stopped.

Mr. President, I believe that the Secretary of Labor will be sympathetic toward the problems of migrant workers, at the same time trying to protect the domestic workers in this country in meeting the need of seasonal employment which they might not get in certain areas.

Mr. President, I reserve the remainder of my time.

Mr. HOLLAND. Mr. President, will the Senator from Louisiana yield me 5 minutes?

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, we are dealing with farm labor—not with full-time farm labor but with farm labor. If anyone knows how an unskilled laborer can handle a machete in the cutting of sugarcane, or a 45-foot ladder in climbing orange trees to pick the oranges, he would realize that those who do know how are farm laborers and quite skilled in their particular line of work. That would also apply to other kinds of employment, such as the picking of apples and other fruits, which requires skill and experience.

Mr. President, I am concerned about this problem, because the Secretary of Labor has been so idealistic in his approach.

This is what he says in his justification for his recruiting system:

> The task is now expected to be rendered singularly more difficult, since it will be directed toward the complete transition from foreign to domestic labor.

Mr. President, the Secretary had no such mandate. He has no right to go in that direction. The Appropriations Committee invited his attention to that, and stated as follows:

> The Department should be prepared, when it appears to testify before this committee on the pending 1966 supplemental for additional funds under Public Law 414, to inform the Senate of the specific plans which will be used to prevent future crop loss, et cetera.

No such specific information was given.

What is happening to us is that people continue with this unfortunate and unsatisfactory policy of the Secretary of Labor. We cannot stand idly by and see that occur.

I have heard much about what labor is saying. I wonder whether the Senate knows that on April 24, 1962, George Meany, speaking for the AFL–CIO, submitted to the Secretary of Labor a memorandum brief, which I hold in my hand, and which I ask unanimous consent to have placed in the RECORD in full.

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

THE BRITISH WEST INDIES AGRICULTURAL LABOR PROGRAM

(Submitted to the Secretary of Labor by President George Meany of the AFL–CIO)

It is estimated that over 330,000 foreign workers are employed in the United States each year as supplementary labor in areas where the U.S. Department of Labor has certified a shortage of domestic workers. The average number of British West Indies (B.W.I.) workers employed during each month of 1962 was 6,976 with a high of 10,267 on December 31 and a low of 2,917 on July 31. These workers earned gross wages of $14,694,522 and of this $2,137,219 was transmitted to the West Indies for the savings accounts operated by the Governments on behalf of the workers. Analysis of the foreign exchange transactions of the various banks shows that similar amounts were sent by the workers as direct remittances to their families or to their commercial bank accounts.

These earnings show that the United States is making a substantial aid contribution to the West Indies at no cost to the American taxpayer, at no loss of self-respect to the West Indians, but merely as a fair return for a fair day's work on the part of law-abiding and ambitious West Indian workers.

The gainful employment of West Indian workers on American farms constitutes a substantial relief to the serious West Indian unemployment problem where, for example, in Jamacia the rate is as high as 18 percent.

About 95 percent of the foreign national agricultural workers in the United States are Mexicans, whose programs are administered by a treaty between the United States and Mexico and under Public Law 78, which was recently extended by Congress for 2 years ending December 31, 1962. The other workers are admitted under the provision of the McCarran-Walter Act, Public Law 414, and these programs are administered without expense to the U.S. Government; in the case of the British West Indies a contract and work conditions are negotiated each year between representatives of the West Indies Government and representatives of the American farmers.

In February 1962 the Department of Labor issued a bulletin concerning the entry of Mexican agricultural workers into this country. This bulletin states that Mexican workers should not remain in the United States for a period exceeding 9 months and that the majority of Mexican workers must return after working 6 months.

Although arrangements for Mexican workers under Public Law 78 has no bearing on the B.W.I. program, the Secretary of Labor has applied the restriction against farm machine operation by Mexican nationals to the B.W.I. and has been endorsing certifications to this effect. It stands to reason that the Secretary is likely to apply the 9-month limitation to the British West Indies. This would destroy continuity of employment and make it extremely difficult to recruit men for the Midwest and Northern States for a short season if these workers knew they would have to return home at the end of that season. It would also make it impossible to transfer workers from Florida to the Northern States. This would be a considerable hardship to the economy of the West Indies, particularly Jamaica which supplies more than 75 percent of the B.W.I. workers.

The workers of the British West Indies in the United States typically work in Florida from late spring or early summer, and are then transferred to Connecticut and the Midwestern States of Wisconsin, Indiana, Iowa, and Minnesota. When the summer harvest has been completed they are transferred back to Florida.

Through such transfer operations it was possible, up to 1957, to obtain continuous employment for fairly large groups of men. However, during 1958 mechanization of the pea and corn harvests in the Midwest had grown to such proportions that there was a considerable reduction in the number of workers transferred to that area, and that number has been further reduced each year since for the same reason. It is still possible, however, to send workers to Connecticut for tobacco during April and May; to send a few hundred men to the Midwest in June; to recruit more men for the September apple harvest in New York; the tomato harvest in Indiana in late August and early September; and to the fruit harvest in Michigan during early September. These workers are transferred, at the end of the harvest period, back to Florida.

It is well known that the standards of the B.W.I. program improve the lot of domestic workers in regard to housing, workmen's compensation, and racial matters. The British West Indies Central Labor Office maintains a ratio of 1 liaison officer to 900 workers. These officers are responsible for seeing that the terms of employment are satisfactory, that the contractual obligations are honored both by the employers and by workers.

The large camps in Florida in which West Indian workers are housed provide infirmaries, and it is interesting that, while the U.S. Government is now attempting to develop a group insurance policy to protect domestic migrant workers against accidents or sicknesses which are nonoccupational, the B.W.I. program provided such protection for West Indian workers as far back as 1948. This policy incidentally, provides better medical, hospital, and financial benefits to the workers than are proposed in the U.S. Government schemes. Full workmen's compensation protection in accordance with that given to industrial workers is required for all B.W.I. workers and no employment is approved unless there is such protection. This requirement protects American workers employed by the same farmers as West Indians, because the domestics receive the workmen's compensation benefits. Here again the workmen's compensation provision provides more benefits for the B.W.I. workers than are required by law for Mexican national workers, despite the treaty between the two governments concerned.

The racial problem in many areas has been eased by the presence of B.W.I.'s. For example, a director of labor in one of the Southern States commented publicly, at a 1958 National Farm Labor Conference, that when B.W.I.'s worked in a neighborhood it became easier for American Negroes to enter that neighborhood and obtain gainful employment.

The Secretary of Labor has the authority to make exemptions in the B.W.I. program. The AFL–CIO urges that he allow the B.W.I. workers to remain, as at present, on a year-round basis. The Department of Labor, through local, State, and regional employment services, has to be satisfied that there

is a shortage of domestic workers before they will certify the need for foreign labor. If this shortage is so certified, there should be no hesitation in allowing B.W.I.'s to remain on a year-round basis, either with one employer or with more than one employer on transfers.

The Government of Jamaica would not be opposed to a treaty similar to that between Mexico and the United States, and it is believed that most of the American employers would not be opposed to such action.

Mr. HOLLAND. Mr. President, Mr. Meany very clearly favors importation of British West Indian laborers. He was talking about them in particular, to the effect that they were not hurtful to the labor supply in this country.

I shall not read the memorandum in full, but just one quotation, as follows:

The Secretary of Labor has the authority to make exemptions in the B.W.I. program. The AFL–CIO urges that he allow the B.W.I. workers to remain, as at present, on a year-round basis.

He was talking, then, more directly to get them in on a year-round basis. We do not make such a request.

Mr. President, that was Mr. Meany's position in 1962. Therefore, it was the position of the AFL–CIO. He says further in this able memorandum:

The gainful employment of West Indian workers on American farms constitutes a substantial relief to the serious West Indian unemployment problem where, for example, in Jamaica the rate is as high as 18 percent.

Mr. President, there is no doubt that organized labor, as represented by Mr. Meany, asserts that this is a helpful matter, one of mutual aid. Senators will realize that if they read the letter where we give dollars for labor honestly rendered in this field.

I have already inserted in the RECORD an editorial from the Jamaican newspapers showing their hostility.

I should like to read one paragraph or two from a letter received from the port director of the Port of Palm Beach district in West Palm Beach, Fla., who has been in Jamaica with a group of businessmen, in which he comments on the complete change in the situation there, how hostile they are to our people, and how much they have depended on our agricultural employment. Then he gives this picture of their hostility, which I believe will speak louder than any words of mine on this subject:

On our drive across Jamaica, we saw many instances of open hostility. Even members of military convoys would shout harsh remarks at us. Workers along the highway would frequently shake their fists at us as we drove by. Merchants in small stores were very surly even though we presented a cash sale. This was not the attitude which I met last February on a similar trip. At first, I was inclined to charge it up to our position in Dominica; however, I was told by my Jamaican friends that most people supported that action. It was the travel and labor restrictions coming on the heels of one another that caused the reaction. One man told me that, in his opinion, we have pushed the people of the Caribbean closer to Castro than they have ever been.

Let us realize that this unfortunate, idealistic approach is not based upon any real understanding of the problem. As adopted and applied by the Secretary of Labor, it is hurting. It is also hurting our foreign relations. It is hurting in our friendship with our good neighbors, whose workers have come into this country periodically to work for us and have been pleased at their employment here. It is hurting the growers of perishable commodities. It is hurting the housewives of this country. It is hurting in that it is the cause of the removal of workers from our Nation, as producers, as taxpayers, into the islands in the Caribbean. It is hurting in cutting down the total supply of our perishable products by saying that we should end it by letting the Secretary of Agriculture, who has the know-how, prescribe the number which are needed by our people.

Mr. BASS. Mr. President, I believe I have 1 minute remaining. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. BASS. Let me say in closing that I disagree with respect to the issue being raised by my friend from Florida. If there is a problem, it should be studied separately, and special legislation should be handled, as has been done historically by the Congress. This is nothing but a backdoor approach to trying to reinstate the bracero program.

The vote about to be taken is to strike out a section of the bill which should not be here in the first place, and, secondly, is the wrong approach to this problem.

Mr. ELLENDER. Mr. President, I yield 1 minute to the Senator from Maine.

Mr. MUSKIE. Mr. President, my State has a direct interest in the farm labor question. Traditionally, Canadian workers have been recruited to help with the harvesting of potatoes and apples.

This year we have gone through a careful review of the program as it operates in Maine and we have endeavored to meet the objectives of the Secretary of Labor in expanding opportunities for American workers to obtain these harvesting jobs.

I am in agreement with the Secretary's objectives. I believe we should make every effort to recruit American workers for farm jobs before we seek foreign labor. I believe we should do everything we can to insure better wages and working conditions for American farmworkers.

At the same time, I have had questions about the Secretary of Labor's approach to the problem, this year. In the beginning of his efforts to curtail the importation of foreign laborers, there was a tendency to be arbitrary in calling for drastic reductions in the use of foreign labor. There was the clear implication that he planned to eliminate this source in 1 year. There was a disruption of the farm labor market as a result of the vigorous prosecution of his aims and some farmers have been hurt. None of us, I am sure, is happy over these conditions.

On the basis of our experience in Maine, however, it is clear that the Secretary of Labor has adopted a more realistic attitude toward the farm labor problem. When we were able to demonstrate that there were not sufficient domestic laborers available the Secretary authorized importation of Canadian workers.

I would not want the Secretary to abandon his objective of expanding job opportunities and improving working conditions for American workers, on the farm as well as in our factories. But, while he pursues his objective, he must give realistic attention to the needs of our farmers for a dependable supply of workers. He should consult with appropriate agencies, including the Department of Agriculture, in setting administrative guidelines.

I appreciate the intention of the distinguished Senator from Florida [Mr. HOLLAND] to prevent a recurrence of the difficulties which we encountered this year. I disagree with the remedy he offers. I do not think it is administratively sound to place a labor supply and working condition question in the hands of the Secretary of Agriculture or any department or agency head other than the Secretary of Labor. The Secretary of Labor has this basic responsibility under many acts of Congress and his Department has the personnel and the administrative system to handle these questions. We should not change a basic administrative system simply to modify or correct a single policy matter.

For these reasons, Mr. President, I have decided to support the Bass motion to strike the Holland amendment.

I do so because I believe the approach offered by that amendment is not the best one to achieve our objective of encouraging a better handling of the farm labor problem, and because I believe that the Secretary of Labor will give more attention to the problems of farmers in future harvesting seasons.

Mr. BASS. Mr. President, I yield back the remainder of my time, and I am ready to vote.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Tennessee [Mr. BASS] to strike out section 706 of the committee amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Louisiana [Mr. LONG], the Senator from Connecticut [Mr. RIBICOFF], the Senator from South Carolina [Mr. RUSSELL], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota [Mr. MCCARTHY], and the Senator from Oregon [Mrs. NEUBERGER] are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee [Mr. GORE], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Connecticut [Mr. RIBICOFF] would each vote "yea."

On this vote, the Senator from Louisiana [Mr. LONG] is paired with the

Senator from Minnesota [Mr. McCARTHY]. If present and voting, the Senator from Louisiana would vote "nay" and the Senator from Minnesota would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Pennsylvania [Mr. SCOTT] is absent on official business.

If present and voting, the Senator from Utah [Mr. BENNETT] and the Senator from Pennsylvania [Mr. SCOTT] would each vote "nay."

The yeas and nays resulted—45 yeas, 45 nays, as follows:

[No. 253 Leg.]

YEAS—45

Bartlett	Hill	Mondale
Bass	Inouye	Monroney
Bayh	Jackson	Montoya
Bible	Javits	Moss
Brewster	Jordan, N.C.	Muskie
Burdick	Kennedy, Mass.	Nelson
Cannon	Kennedy, N.Y.	Pastore
Case	Long, Mo.	Pell
Church	Magnuson	Proxmire
Clark	Mansfield	Sparkman
Douglas	McGee	Symington
Gruening	McGovern	Tydings
Harris	McIntyre	Williams, N.J.
Hart	McNamara	Yarborough
Hartke	Metcalf	Young, Ohio

NAYS—45

Aiken	Fannin	Murphy
Allott	Fong	Pearson
Boggs	Fulbright	Prouty
Byrd, Va.	Hayden	Randolph
Byrd, W. Va.	Hickenlooper	Robertson
Carlson	Holland	Russell, Ga.
Cooper	Hruska	Saltonstall
Cotton	Jordan, Idaho	Simpson
Curtis	Kuchel	Smathers
Dirksen	Lausche	Smith
Dodd	McClellan	Stennis
Dominick	Miller	Thurmond
Eastland	Morse	Tower
Ellender	Morton	Williams, Del.
Ervin	Mundt	Young, N. Dak.

NOT VOTING—10

Anderson	McCarthy	Scott
Bennett	Neuberger	Talmadge
Gore	Ribicoff	
Long, La.	Russell, S.C.	

There was a recapitulation of the vote.

Mr. HOLLAND. Mr. President, I ask for the regular order.

The VICE PRESIDENT. There has been no announcement as yet.

On this vote there are 45 yeas and 45 nays. The Chair votes "yea."

So Mr. BASS' amendment was agreed to.

Mr. BASS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

Mr. ELLENDER. Mr. President, I ask for the yeas and nays on the motion to lay on the table.

The yeas and nays were ordered.

Mr. KUCHEL. Mr. President, what is the question before the Senate?

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Rhode Island to lay on the table the motion by the Senator from Tennessee [Mr. BASS] to reconsider the vote by which the Bass amendment was agreed to.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Louisiana [Mr. LONG], the Senator from Wyoming [Mr. McGEE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from South Carolina [Mr. RUSSELL], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota [Mr. McCARTHY], and the Senator from Oregon [Mrs. NEUBERGER] are necessarily absent.

I further announce that, if presented and voting, the Senator from Tennessee [Mr. GORE], the Senator from Wyoming [Mr. McGEE], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Connecticut [Mr. RIBICOFF] would each vote "yea."

On this vote, the Senator from Louisiana [Mr. LONG] is paired with the Senator from Minnesota [Mr. McCARTHY]. If present and voting, the Senator from Louisiana would vote "nay" and the Senator from Minnesota would yote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Pennsylvania [Mr. SCOTT] is absent on official business.

If present and voting, the Senator from Utah [Mr. BENNETT] and the Senator from Pennsylvania [Mr. SCOTT] would each vote "nay."

The result was announced—45 yeas, 44 nays, as follows:

[No. 254 Leg.]

YEAS—45

Bartlett	Hill	Monroney
Bass	Inouye	Montoya
Bayh	Jackson	Morse
Bible	Javits	Moss
Brewster	Jordan, N.C.	Muskie
Burdick	Kennedy, Mass.	Nelson
Cannon	Kennedy, N.Y.	Pastore
Case	Long, Mo.	Pell
Church	Magnuson	Proxmire
Clark	Mansfield	Sparkman
Douglas	McGovern	Symington
Gruening	McIntyre	Tydings
Harris	McNamara	Williams, N.J.
Hart	Metcalf	Yarborough
Hartke	Mondale	Young, Ohio

NAYS—44

Aiken	Fannin	Pearson
Allott	Fong	Prouty
Boggs	Fulbright	Randolph
Byrd, Va.	Hayden	Robertson
Byrd, W. Va.	Hickenlooper	Russell, Ga.
Carlson	Holland	Saltonstall
Cooper	Hruska	Simpson
Cotton	Jordan, Idaho	Smathers
Curtis	Kuchel	Smith
Dirksen	Lausche	Stennis
Dodd	McClellan	Thurmond
Dominick	Miller	Tower
Eastland	Morton	Williams, Del.
Ellender	Mundt	Young, N. Dak.
Ervin	Murphy	

NOT VOTING—11

Anderson	McCarthy	Russell, S.C.
Bennett	McGee	Scott
Gore	Neuberger	Talmadge
Long, La.	Ribicoff	

So Mr. PASTORE's motion to lay on the table Mr. BASS' motion to reconsider the vote on the Bass amendment was agreed to.

APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair announces the appointment of Senator BENNETT to be a delegate to the International Atomic Energy Agency Conference to be held in Tokyo for 2 weeks beginning September 21, 1965, in lieu of Senator HICKENLOOPER, who will be unable to attend.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of 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.

AMENDMENT NO. 438

Mr. PROXMIRE. Mr. President, I call up my amendment No. 438. I ask unanimous consent that the reading of the amendment be dispensed with, but that the amendment be printed at this point in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The amendment is as follows:

At the end of the bill add a new title as follows:

"TITLE VIII—DAIRY

"SEC. 801. The Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended by adding at the end of section 8c(5) the following new subparagraph (H):

"'(H) Notwithstanding any other provision of this section, providing:

"'(i) for allocating, or providing a method for allocating, to each producer under a marketing order, a share of the total sales of milk received from producers classified in, and subject to the minimum price or prices applicable to, the highest use classification or classifications under the marketing order and such reserves of producer milk as may be found essential thereto, which share shall be determined on the basis of total deliveries of milk made by each such producer during the year 1964, or such other representative period as the Secretary may prescribe in the order as more appropriate, due allowance being made in the provisions of the order for (a) abnormal conditions, (b) hardship cases, and (c) producers under the order engaged in milk production at the time provisions hereunder are incorporated in the order but who did not produce milk during all or part of the representative period. Dairy farmers who were producing and marketing milk prior to the date when provisions hereunder were incorporated in the order and who were not on such date delivering milk as producers under the order shall upon becoming producers under the order be provided, with respect to milk delivered under the order, allocations on the same basis as those who were producers under the order when such provisions become effective: *Provided*, That if any dairy farm of such a dairy farmer has been transferred to another person and no allocation based on deliveries from such farm has been issued when milk is first delivered therefrom as producer milk under the order, such transferee then operating the farm shall be provided any allocation for

which the said dairy farmer would otherwise have been eligible based on deliveries from such farm. Provisions shall also be made for allocating to any new producer under an order who was not engaged in dairy farming prior to the incorporation in the order of provisions hereunder an equitable share of the allocated sales on such terms and conditions as prescribed in the order, due consideration being given to the current and prospective supply conditions in the regulated market. The application of allocations hereunder shall be subject to such provisions as may be incorporated in the order under section 8c(5)(D). Allocations to producers under this subparagraph may be transferable under an order on such terms and conditions as may be prescribed if the Secretary of Agriculture determines that transferability will be in the best interest of the public, existing producers, and prospective new producers. The allocations or bases hereunder may be adjusted from time to time or new allocations or bases may be established by amending the order or under provisions incorporated in the order;

"'(ii) that in distributing to producers the amounts of money required to be paid by handlers on milk each producer shall be paid (1) for milk delivered by him which exceeds his allocation at the lowest class price specified in the order and (2) for milk delivered by him within his allocation a blend price, based on utilization in such higher class uses plus reserve, representing his pro rata share of the remaining funds available for current distribution to producers under the order, after the computation has been made under (1) hereof. The payments under (1) and (2) above shall be subject to adjustments prescribed in the order under section 8c(5)(B) or other provisions of the Act and to such provisions as may be incorporated in the order under section 8c(5)(D);

"'(iii) in marketing orders where individual handler pools are approved as provided by subparagraph 8c(5)(B)(i) the provisions of this subparagraph may be applied to each handler individually and to the producers delivering milk to such handlers;

"'(iv) in the case of any producer who during any accounting period delivers a portion of his milk to persons not fully regulated by the order, provision may be made for reducing the allocation of, or payments to be received by, any such producer to compensate for any marketings of milk to such other persons for such period or periods as necessary to insure equitable participation in marketings among all producers.

"'(v) the order may provide for such reports and the keeping of such books and records by producers and by the person or persons to whom he may dispose of milk as the Secretary may prescribe and upon request of the Secretary such person or persons shall make required records available for inspection;

"'(vi) the provisions authorized under this subparagraph may be made applicable to a regulated handler's own production of milk;

"'(vii) order provisions under this subparagraph shall not become effective in any marketing order unless separately approved by producers in the same manner provided for the approval of marketing orders. Disapproval of order provisions under this subparagraph shall not be considered disapproval of the order or of other terms of the order. Order provisions under this subparagraph may be terminated separately whenever the Secretary makes the determination with respect to such provisions as is provided for the termination of an order in section 8c(16)(B);

"'(viii) Any producer for whom an allocation or base is established under the authority of this subparagraph may obtain a review thereof as prescribed by the order and rules and regulations thereunder, which shall constitute the exclusive procedure for review thereof and section 8c(15)(A) of this title shall not apply thereto. Under such order, rules, or regulations any officers or employees of the Department or any committees or boards of producers under the order created for the purpose may be vested with authority to perform any or all functions in connection with such review proceedings, including ruling thereon. Committees or boards created for this purpose shall be deemed agencies of the Secretary within the meaning of subsection 8c(7)(C) and section 10 of this title. The ruling upon such review shall be final if in accordance with law. The producer may obtain a judicial review of such ruling in accordance with the provisions of section 8c(15)(B) of this title; and

"'(ix) the provisions of section 8a(5) shall not apply to any producer in the application of this subparagraph or regulations issued pursuant thereto.'"

Mr. PROXMIRE. Mr. President, on my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, I yield myself 15 minutes.

Mr. AIKEN. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I have yielded myself 15 minutes to explain the amendment. I shall be happy to yield to the Senator from Vermont after I have finished my explanation.

Mr. AIKEN. I wish to make sure that the Senate understands the intent of the Senator's amendment. Will the Senator from Wisconsin, after he has made his presentation, permit me to ask him several questions?

Mr. MANSFIELD. Mr. President, I ask that there be order in the Chamber and that attachés who have no business to attend to be requested to leave the Chamber.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senator's point is well taken. The attachés will please leave the Chamber if they cannot be in order.

Mr. AIKEN. Mr. President, after the Senator from Wisconsin has finished his opening remarks, will it be agreeable to him to permit me to ask clarifying questions on the various sections of the amendment, so that there will be no mistake in the RECORD as to exactly what each section and each part of the amendment means?

Mr. PROXMIRE. I should hope that we could use that time on both sides as equally as possible.

Mr. AIKEN. Mr. President, with that understanding I do not intend to interrupt the distinguished Senator from Wisconsin while he is speaking.

Mr. PROXMIRE. Mr. President, I thank the Senator.

This amendment would insert in the Food and Agriculture Act of 1965, as it was reported by the Committee on Agriculture and Forestry, a new dairy title. The amendment is identical with S. 1915, the Proxmire dairyman's class I base plan. It is also quite similar to title I of H.R. 9811, as it was passed by the House of Representatives.

Mr. President, this amendment would increase farm income, according to the Department of Agriculture.

It would reduce the cost of the farm program, according to the Department of Agriculture.

It would not increase the cost of milk to the consumer. The amendment has been tried and won enthusiastic support in British Columbia, where it succeeded in increasing farm income with no increase in cost to the consumer.

The amendment is strictly permissive. At least two-thirds of the farmers in a particular market order must vote in favor of the plan before it would go into effect in their market order. A simple majority vote can cancel the plan.

In testifying before the Senate Committee on Agriculture and Forestry this year, Secretary of Agriculture Freeman supported this proposal. In doing so, he said:

> Enactment of legislation authorizing the use of base plans in Federal milk order markets would be a step in the right direction. In markets where producers elected to adopt a base plan, as provided for in this bill, there would be an incentive to hold down increases in milk production. This would help reduce present surpluses to the benefit of all.
>
> It would not impose barriers on the entry of new producers to markets adopting a base plan. Its provisions would leave the door open for needed, yet equitable adjustments within the industry.

This amendment is identical with the bill which passed the Senate by a 45-to-33 vote in the fall of 1963. It is similar to, but not identical with, title I of the farm bill as it passed the House of Representatives this year. That title was deleted by the Senate committee.

At present, farmers selling milk for fluid consumption in marketing order areas receive a blend price for that milk. That "blend" is made up of two prices—first, a relatively higher price for the part of the milk that actually goes into fluid consumption; and, second, a relatively lower price for the excess which goes into cheese, ice cream, and so forth.

Regardless of how much the farmer produces, he receives the single blend price.

Dairy farmers object to this practice, because, as farmers producing under the same marketing order increase their production, the production going into excess increases and the blend price drops lower and lower.

This is how the amendment would permit the farmers to modify the blend price system:

If two-thirds of the farmers in a market order area vote to do so, they can end the blend price system for their own particular order.

Instead, they could receive the high fluid price for that part of their production that goes into fluid milk, and the lower, excess price for that part of their milk that goes into excess production. This has two advantages.

First, it would enable the farmer to protect himself against overproduction by other farmers under the order. This is because the farmer could count on the established fluid price, and that fluid

price would not be diminshed by increased excess production, as is the blend price.

Second, overall milk production would decline. The burden on the taxpayer—which has been several hundred million dollars a year—to pay for acquiring excess milk production would be reduced considerably. This is because farmers would receive a lower excess price for all their increased production, rather than the higher blend price which they now receive.

Mr. President, let me mention some of the things this amendment would not do. I want to make it crystal clear that the freedom of action now existing under milk marketing orders would in no way be affected. It may be suggested that this amendment makes many modifications in existing law. I believe this is because of a misapprehension. This amendment would only do one thing. It would provide farmers with an option on the kind of system under which they would be compensated for their milk in fluid milk areas, and nothing else.

First, my amendment would not in the slightest degree represent production control. Dairy farmers will continue to be free to produce just as much or as little milk as they wish. They will continue to be able to keep as many or as few dairy cows as they want and feel they need. Their position in the marketplace vis-a-vis their neighboring producers would not be affected one iota.

Second, my amendment would have no effect on the minimum prices paid by handlers, but would deal only with the apportionment of the proceeds among producers.

Third, this provision contains no mandatory features whatsoever. It is a completely voluntary program, to be accepted or rejected by dairy farmers in a referendum. If rejected, the remainder of the milk marketing order would remain in effect.

Fourth, this amendment contains not a single penalty clause.

Fifth, the amendment would not affect the price of milk to consumers.

To place this amendment in perspective, consider the present situation as it exists under milk marketing orders, since the amendment has to do only with these orders.

Milk marketing orders play an important role in the dairy picture in the United States as a whole. More than 75 orders are now in operation. These orders produce almost 50 percent of the Nation's milk.

Since 1940 the number of markets covered by Federal orders has increased from 17 to 77. The amount of milk regulated under these orders has increased from less than 20 percent to almost 50 percent of all the milk marketed in the United States. Over the same period, the percentage of Federal order milk used for manufacturing purposes has increased from less than 30 percent to almost 40 percent. In some of the larger markets, the amount of milk used for manufacturing purposes exceeds the milk used for fluid purposes.

I ask unanimous consent to have printed at this point in the RECORD a tabulation showing in detail the amount delivered under Federal order markets, the average surplus price, and the approximate value of this surplus since 1947.

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

Approximate value of surplus milk in Federal order markets, 1947–64

Year	Product deliveries minus delivery used in class I [1] (1)	Average surplus price [2] (2)	Approximate value [3] (3)
	1,000 pounds		*1,000 dollars*
1947	5,172,119	$3.39	175,335
1948	5,167,534	3.83	197,917
1949	6,944,805	2.80	194,455
1950	7,659,948	2.87	219,841
1951	7,398,822	3.52	260,439
1952	8,326,343	3.71	308,907
1953	10,459,979	3.21	335,765
1954	10,968,193	2.89	316,981
1955	10,916,212	2.90	316,570
1956	11,764,090	2.99	351,746
1957	12,116,639	3.02	365,922
1958	13,046,964	2.94	383,581
1959	13,898,734	2.96	411,403
1960	16,054,501	3.06	491,268
1961	18,943,710	3.14	594,832
1962	20,042,265	3.02	605,276
1963	19,896,503	3.05	606,843
1964	20,454,127	3.12	638,169

[1] This figure includes some milk used for fluid purposes and included in a class other than class I. The amount of such milk is relatively small.
[2] Estimated to be equal to the U.S. manufacturing milk price converted to 3.5-percent butterfat content.
[3] Col. 1 × col. 2.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. PROXMIRE. Mr. President, I am sorry. I had told the distinguished Senator from Vermont that I would continue my presentation without yielding. I apologize to the distinguished Senator from Washington who is a cosponsor of my amendment and was a cosponsor of the amendment in 1963, when it was agreed to by the Senate.

The present blend price system increases our dairy surpluses. If we eliminated the blend pricing system, we could reduce the burden on the taxpayer, and, at the same time, give the dairy farmer an opportunity to tailor his production to what is needed.

It is fantastic that the Chicago marketing area should produce more than 1½ times as much excess milk as is used for the fluid purpose for which the order is designed. In other words, for every quart that is used for fluid purposes, there is 1½ quarts of excess.

At present, if farmers who are under the marketing order increase their production, the price goes down. However, under my amendment, the farmer would not have to increase production in order to keep up with other farmers.

Under the blend pricing system, an individual farmer has no control over either the blend price he receives for his milk or his total income. Under the proposed amendment, any producer can control his own price and income. This is so because his allotment guarantees a high price for a specified quantity. Then, to attain his income and economic objective, he produces only the amount which would maximize his returns. Producers can adjust either upward or downward to suit their particular levels, but they will in no way affect any other producer's effort.

An example can best demonstrate the weaknesses of the present system and how this amendment would stop the increases in dairy production.

Assume that a farmer's herd produces, and he markets through the marketing order 200,000 pounds of milk in a particular year. Assume that half of this milk—as in the New York-New Jersey area—goes into fluid or Class I purposes, and half goes into excess or manufacturing purposes. Assume further, for simplicity's sake, that the price for fluid milk is $5 a hundred and the price for manufacturing milk is $3 a hundred. Assume finally, that the farmer has a fluid milk base of half of his production, or 100,000 pounds.

Under both the present administration of the law and the proposed amendment, the farmer would receive $8,000 for the milk which he marketed—that is, 200,000 pounds multiplied by $4 a hundredweight.

Under the present law, he would receive a $4 blend price for each hundredweight which he marketed. However, under the proposed amendment, he would receive $5 a hundred, or $5,000 for his first 100,000 pounds, or base, and only $3 a hundred, or $3,000, for the second 100,000 pounds that he marketed.

The incentive to reduce production, and especially the incentive not to increase production, shows up sharply when we see what happens under the present law and the proposed amendment if the farmer decides to change the amount of his production.

Under the present law, if the farmer cuts back production by 10,000 pounds—or about one cow—he loses the blend price, or $400 in receipts. Under the proposed legislation, if he cuts back production to the amount of 10,000 pounds, he loses the manufacturing price of only $300. Hence, there is a significantly larger incentive under the amendment for the dairy farmer to reduce his production.

The incentive is likely to work even more sharply for the farmer contemplating an increase in production. Under the present law, if the farmer increases his production by 10,000 pounds, he receives the blend price of $4 a hundred, or $400. But under the proposed amendment, if he increased production by 10,000 pounds, he would receive only $300. He would not get $400. He would get only $300.

The reason that this proposed legislation is likely to be so decisive in discouraging additional production is that the overwhelming majority of farmers throughout the Nation cannot cover their costs at $3 a hundred, and they know it.

The result is that the vast majority of farmers who take out pencil and paper to decide whether or not to add another cow and an additional 6,000 or 8,000 pounds of annual production to their herd will find that the addition would cost them money if the additional production brought them only the manu-

facturing price—in this case $3—and not the blend price—in this case $4.

Much of the evidence concerning the need for dairy legislation relates to excess production and the cost of the program to the Federal Government. Production in the past few years, as well as now, is in excess of market needs.

During 1963 the Federal Government was required to purchase 7.8 billion pounds of milk on an equivalent milkfat basis produced in excess of our needs.

Last year the Department of Agriculture was required to purchase 8.5 billion pounds and through July of this year the Government purchased 6.2 billion pounds in excess of needs. The Government was required to purchase 6.2 billion pounds because of an overproduction of milk on our farms. My amendment is designed in part to help correct that overproduction, and that is one of the reasons the Department of Agriculture supports it.

Two years ago the Department of Agriculture estimated that production would be cut by about 600 million pounds and that there will be a net savings to the Government of approximately $26 million in the first year, if my proposal is enacted. That is a conservative estimate because it is based upon the assumption that it will require longer than a year for the marketing order areas to take advantage of the law and for the law to become fully effective. I stress that the first year is where there would be the least saving. As the years go on, I think the savings would distinctly increase. This is another very desirable feature of the amendment; that is, the feature of gradualism. There will be no sharp adjustment which could have a tremendous adverse economic and market impact on the entire dairy industry, to say nothing of consumer interests. It might also be well to point out here that consumer interests are fully protected under the law, and that any reductions in production would create no upward pressure on consumer prices. All we are doing here in this regard is to reduce the cost to the Government and save the taxpayer's money.

It is also true that the income of dairy producers is pitifully small. For example, the Department of Agriculture reports that the average return per hour earned by milk producers on grade B, eastern Wisconsin farms in 1964 amounted to only 36 cents per hour.

That is what these farmers earn, although they have greatly increased their efficiency and their investment. In 1964 they earned 36 cents an hour, and only 11 cents an hour in 1960. The income of these farmers is held down because of the excess production encouraged by the blend price in order areas. Anything we can do to cut down on excess milk production will be a step forward toward improving incomes of these producers.

The Agricultural Marketing Agreement Act of 1937, under which marketing orders are regulated today, is largely a restatement of the provisions relating to marketing agreements of the act of 1935.

The substantive provisions of this act as they relate to milk marketing agreements have not been amended since this act was passed. In 1963 the Senate Agriculture Committee reported out a substantive amendment to that act which I sponsored and which is identical in every respect to the proposal I have called up today. It passed the Senate by a 45 to 33 margin. This was the first time that the Senate considered a substantive amendment to the milk marketing portion of the Agricultural Marketing Agreement Act of 1937. Today is the second time.

As my colleagues well know, the House of Representatives took no final action on the Proxmire dairy bill in the 88th Congress. Today we are in a situation which is exactly the reverse of that which existed in 1963–64. The House added a similar provision to the Food and Agriculture Act of 1965 yet the Senate Agriculture Committee deleted that provision from the bill we are considering today. That is the reason I am asking my colleagues to once again accept a measure they, in their wisdom, passed in 1963.

Here is how the amendment differs from the House dairy section—title I of the agriculture bill as it passed the House.

First. With respect to the entry of new producers into the market, the House bill provides only that an increase in class I sales, or forfeited bases would be made available to new producers and hardship cases. My amendment safeguards free access to a milk marketing order by providing that producers who delivered milk, but not under the order, at the time the allotment provision becomes effective under an order, would receive allotments on the same basis as those who were at that time delivering under the order.

Second. My amendment would permit cooperatives to engage in bloc voting, and I think that is in accordance with a custom which the Senate has generally approved.

Third. The House bill specifically authorizes marketing orders for manufactured milk. My amendment does not. After a thorough examination of the milk marketing provisions of the Agricultural Adjustment Act of 1937, I am convinced that manufacturing milk orders can be promulgated under the current language of the act.

Finally, my amendment provides for administrative review of allotments made to individual producers while the House bill does not. This is a technical difference which goes to the question of program flexibility. The pending amendment allows the administrator more leeway in applying the law.

Mr. President, I have finished my 15-minute presentation.

Mr. HOLLAND. Will the Senator yield?

Mr. PROXMIRE. I shall be happy to yield with the sufferance of the Senator from Vermont, who asked for the floor first.

Mr. AIKEN. Suppose first I ask my question, and then the Senator may yield.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. AIKEN. Mr. President, the Senator from Wisconsin has made a very able case for his amendment. However, there are two matters which should be made clear before we vote on it, so that, should his amendment become law, there will be no misunderstanding as to the intent and purpose.

The PRESIDING OFFICER. The Senator's additional minute has expired.

Mr. AIKEN. I will yield myself 15 minutes.

I will first call attention to one of the statements the Senator made, showing the amount of milk which has been purchased by the Federal Government the first 6 months of this year and comparing it to the purchases of the entire year.

Of course, the Senator from Wisconsin understands that almost all the milk is purchased the first 6 months of the year, but the figures which he presented actually indicate that less milk will be purchased this year than last year. I believe that when it comes to some dairy products, the Government is not purchasing any at all at the present time and, during the last 6 months, will even be disposing of what it purchased the first 6 months of the year.

However, to get down to my question, as I understand, the purpose of the Senator's amendment is to raise prices to the farmer without increasing prices to the consumer.

Mr. PROXMIRE. Will the Senator yield for me to reply to that part of his question?

Mr. AIKEN. I yield.

Mr. PROXMIRE. The amendment would not raise prices to the farmer. As the Senator knows, the amendment would permit the farmer to receive the fluid price for that part of his milk which goes into fluid consumption.

Mr. AIKEN. If he took advantage of the Senator's amendment, the fluid milk producer would be voting to reduce his sales of milk in the order market, is that correct?

Mr. PROXMIRE. He could obtain an allotment, and that allotment would be related to his previous production. If he then was, so to speak, a good citizen and reduced his production so that the Government would not have to buy so much, he would still be able to sell as much as he did before at the fluid price, and he would therefore be in a better profit and loss position, but that would not increase the fluid price to the consumer.

Mr. AIKEN. But under the Senator's amendment, he would be authorized and presumably would vote to reduce his total deliveries of class I or drinking milk to the market, is that correct?

Mr. PROXMIRE. Of course, as the Senator from Vermont well knows, everythings that he sells qualifies as class I. The sanitary requirements are the same. But he would reduce the amount of milk he sends to the market. The amount that would be reduced would be the excess milk.

Mr. AIKEN. Is there anything in the bill which would indicate that he would reduce his total production of milk?

Mr. PROXMIRE. Nothing except that the incentive would exist.

Mr. AIKEN. An incentive to do what?

Mr. PROXMIRE. An incentive to reduce his herd's production, because on excess production, he would get a reduced price. Instead of $4 a hundred pounds he would get a price of approximately $3 a hundred.

Mr. AIKEN. A producer who had a favorable base would get a larger share of the class I sales. A producer who was expanding and had a poor base would be reducing his share of class I sales. Does the Senator contend that reducing the amount of high-priced milk which he sends to market and selling more of the low-priced milk would be an incentive? It is difficult for me to understand how decreasing the amount of drinking milk and increasing the amount of manufacturing milk would result in increasing income to that farmer.

Mr. PROXMIRE. What would happen would be that the farmer would reduce the amount his herd would produce. At any rate, less milk would be sold in the market area. As it is reduced—to take the situation in Chicago—instead of producing 60 percent in excess, that excess milk would be diminished down to 50 percent, or 40 percent.

Mr. AIKEN. As I understand, the reduction is supposed to be made in the high-priced milk, that is the milk that is approved for fluid consumption. Is that correct?

Mr. PROXMIRE. The reduction would be made in the excess milk.

Mr. AIKEN. But the bill would work to reduce the farmer's total production, would it not?

Mr. PROXMIRE. Yes, indeed. The incentive would be for the farmer to reduce excess production, because he would be better off economically in doing so.

Mr. AIKEN. The incentive is to reduce the amount of milk suitable for fluid consumption going to market. For a producer with a poor base, this would reduce his quantity sold at $6 a hundred and increase the amount of milk sold at $2.50 a hundred. I fail to see any incentive there. It may be present, but I may not be able to see it.

The idea, as I understand, is to reduce the amount of drinking milk sent into the market, on the presumption that that might raise the farmer's income. Of course it might raise the consumer's cost. Suppose he voted to reduce the amount that was supposed to be sent into the market enough to result in a shortage. Would that market be prohibited from using second-class milk to fill up any void that might be created?

Mr. PROXMIRE. The Senator is referring to the bacteria count?

Mr. AIKEN. I do not know. That is why I am asking the question.

Mr. PROXMIRE. There is no difference. The milk is precisely the same as delivered. However, under a base-excess plan the farmer would tend to reduce his production to the amount that would be sold in the area, and if we got down to the point where 90 percent of the milk being produced used for fluid, and only 10-percent excess, the danger point could be reached. The processors would then be free to negotiate a situation for farm allotments to expand production. Each producer would receive a larger fluid allotment, or other farmers could come into the market.

There is plenty of flexibility here.

Mr. AIKEN. Who would make sure that the farmers would keep within their quotas? There are many farmers who would ship into the marketing order areas. Who would police it?

Mr. PROXMIRE. The allotment would be determined on the basis of history—on the basis of what production was in the past. The bill does provide for recordkeeping. If the farmer produced and sold and brought to market his allotment, then anything in addition would simply get the excess price.

There would not have to be any additional policing, or any penalty, in my judgment.

Mr. AIKEN. Who urged the Proxmire bill?

Mr. PROXMIRE. The bill is supported by the Department of Agriculture. Secretary of Agriculture Freeman testified for it.

Mr. AIKEN. Did he ask for it?

Mr. PROXMIRE. He testified for it.

Mr. AIKEN. He did not ask for it?

Mr. PROXMIRE. In 1961 President Kennedy asked, I repeat, asked for this program. President Johnson has asked for this as part of a larger program. He was supported by the Milk Producers Federation, the National Grange, and by a number of cooperatives.

Mr. AIKEN. I do not recall the extent of the testimony of the National Grange on this subject, but I would not be surprised. They are completely sold on this program.

Mr. PROXMIRE. The National Grange has great respect and admiration for the Senator from Vermont, but they knew he had made up his mind and there was no point in arguing with him.

Mr. AIKEN. The President did not ask for this proposed legislation, did he? The Department of Agriculture did not ask for this proposed legislation, did it? Has the Senator from Wisconsin any evidence to show that either of them did?

Mr. PROXMIRE. The testimony of the Secretary of Agriculture indicates a desire for this proposed legislation and he approved of it.

Mr. AIKEN. May I read a paragraph from the report on the bill?

Mr. PROXMIRE. Yes, indeed.

Mr. AIKEN. I shall read an excerpt from the first page of the Department of Agriculture report:

> The bill also provides that producers would receive the lowest class price for milk delivered in excess of their allotments.

Then, if they cut the highest price production, where would there be an incentive; where would they gain more income; where would they make money at all?

Mr. PROXMIRE. If I may answer that question, they would make money by more economic operation. They would cull out the cows which were making for inefficient production and which did not produce much milk in any event.

They would have an additional incentive for culling out more of the older cows and operating on a more efficient basis. In this way, they would be able to reduce the numbers in their herd in relation to income. Let me say that the Secretary of Agriculture, on page 177 of the hearings, says this:

> We have tried, and tried hard, to develop a comprehensive dairy program. We have worked with the dairy industry from producer to retailer; we have explored programs and legislative avenues of many kinds. Unfortunately, so far there has been little agreement within the dairy industry. As a result, no proposals have yet commanded the support necessary to be enacted into law. I know that this is a problem for the committee as it is for the administration.
>
> Nonetheless, positive steps can and should be taken to improve the economic position of the dairyman. I believe that enactment of legislation authorizing the use of base plans in Federal milk order markets, as proposed in S. 399 by the chairman, would be a step in the right direction. In markets where producers elected to adopt a base plan, as provided for in this bill, there would be an incentive to hold down increases in milk production. This would help reduce present surpluses to the benefit of all.

Mr. AIKEN. I do not believe the Senator from Wisconsin should use up so much of my time. Let me ask the majority leader if I may have time on the bill——

Mr. MANSFIELD. Yes, indeed.

Mr. AIKEN. I should like to read what the Secretary of Agriculture said in his report.

He said:

> No producers are prohibited by subparagraph (h) from marketing any quantity he desires to market.

Then in the next to the last paragraph, he says:

> We believe that the proposed bill could increase incomes of dairymen slightly and reduce marketings of milk in some areas.

I agree that there are some areas where the marketing of milk has been so badly mishandled that they could not help getting more income if there were any change at all in their methods.

Mr. PROXMIRE. I agree with the Senator wholeheartedly. I would say that this is not a panacea. It will not solve all our problems. It will help to increase farm income quite modestly and will cut costs—some $26 million, which is not a sum of money to be sneezed at.

Mr. AIKEN. To continue, the Secretary of Agriculture said that if it is enacted, it will be a small step.

Mr. PROXMIRE. I agree with the Senator from Vermont on that.

Mr. AIKEN. Can the Senator from Wisconsin tell me of one single milk marketing order area in this country where farmers would be likely to vote to reduce their production and would be benefited by such an action? Can he name one?

Mr. MAGNUSON. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. In the Chicago area?

Mr. PROXMIRE. I yield to the Senator from Washington.

Mr. MAGNUSON. I can name one. In the area of western Washington. All the co-ops there support the bill and wish to do exactly what the Senator from Wisconsin suggests.

Mr. AIKEN. They have one market for their milk there, do they not?

Mr. MAGNUSON. No.

Mr. AIKEN. A small one, maybe?

Mr. MAGNUSON. The Seattle milk shed.

Mr. AIKEN. What about the Inland Empire?

Mr. MAGNUSON. In western Washington most of the dairy people are located. The State grange is highly desirous of the bill. When the Senator from Vermont suggests who wishes such a bill, let me say that the U.S. Senate wished such a bill 2 years ago——

Mr. AIKEN. I will tell the Senator who wants the bill. It is a group of misfits who are looking forward to getting Federal jobs policing the program. Those are the ones who are promoting it. They are going from State to State telling the milk producers of the advantages they would receive if they marketed less of the high-priced milk and more of the half-priced milk.

Mr. MAGNUSON. I do not believe anyone in the Washington State grange wishes that. I have no applicants at all from the Washington State grange. They would like to have a good dairy program such as the Senator from Wisconsin is advocating.

Mr. AIKEN. Would the Inland Empire, for instance, which now markets—what? 60, 70, 80 percent—a good share of the milk as class I. Would it wish to reduce that class I milk?

Mr. MAGNUSON. One of the reasons they do say and claim that there is more stability in prices and that the farmers can plan better for his herds and how he produces milk. This was the main argument 2 or 3 years ago when we passed a bill in the Senate which would create a more stable price situation for the producer.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. AIKEN. I have got some more questions.

Mr. MONRONEY. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. MONRONEY. I should like to say that the principal markets in Oklahoma support the program.

Mr. JACKSON. Mr. President, will the Senator from Wisconsin yield?

The PRESIDING OFFICER (Mr. BURDICK in the chair). Does the Senator from Wisconsin yield to the Senator from Washington?

Mr. PROXMIRE. I yield.

Mr. JACKSON. Mr. President, I should like to corroborate what my senior colleague [Mr. MAGNUSON] has said. Both milksheds in the Puget Sound area and the Inland Empire have indicated through their cooperative groups that they have made, at least they support the pending legislation, and they supported it previously when it passed the Senate. The Senator from Wisconsin has indicated it is modest and is a reasonable approach, and it seems to me that it should be tried out. If it does not work, then we can try something else.

Mr. PROXMIRE. One of the biggest market areas is Chicago and Mr. McWilliams, the executive secretary of the largest cooperative selling in the area is an enthusiastic supporter and has been one of its principal proponents.

Mr. AIKEN. Yes, he has been traveling all over the country telling this story, trying to make up for his failure to get decent prices for the farmers who produce milk in the Chicago area, trying to make alibis and excuses that the laws are to blame.

Yet, Milwaukee area farmers are selling approximately 82 percent of their milk as Class I milk. I doubt if the high-price milk producers wish to reduce their production to make room for lower price milk from the Chicago area.

Mr. PROXMIRE. I am glad the Senator mentioned that. We have a strong cooperative, the Golden Guernsey Cooperative, which is able to do this with 82 to 85 percent utilization.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. AIKEN. Mr. President, I yield myself 15 minutes more.

I would like to ask the Senator why it is, if this proposal is so popular around the Chicago area, so many of the dairymen just outside the Chicago area are asking for a defeat of the amendment?

Mr. PROXMIRE. The information of the Senator from Wisconsin is that this is not so. The State of Wisconsin includes several marketing order areas. We also export more milk than the next five milk producing States combined. I am a Senator from Wisconsin, who gets out to talk to the people of my State as much as I can. I have been traveling around my State and talking with farmers a very great deal in recent years. They want this legislation. There are some differences and disputes, but, by and large, they favor this provision.

Mr. AIKEN. By what miracle did the Senator from Wisconsin acquire such vigorous support from the oleo producers for his amendment?

Mr. PROXMIRE. The Senator is referring to one of the ablest of Senators and a cosponsor of the amendment, the Senator from Arkansas [Mr. FULBRIGHT]. I am glad to have him as a cosponsor on any amendment of which I am a sponsor. The Senator from Arkansas has an important dairy industry in Arkansas. He favors this proposal.

Mr. AIKEN. Of course, for every 100 pounds of milk that can be kept off the market, oleo is helped.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. AIKEN. I have not much time. I have not gotten started with my questions, but I will yield. I know the influence of the Senator from Arkansas. He has licked us before. It looks as if he might have the vote against us again. He is the greatest champion of oleo in the United States, if not the whole world.

Mr. FULBRIGHT. I appreciate the Senator's compliment.

There was debate on the oleomargarine bill. It was a friendly exchange.

I joined in offering the pending amendment because it would authorize a milk program which is good for Arkansas dairymen and good for the Nation as a whole. This amendment would authorize the Secretary of Agriculture to provide for allotments under milk marketing orders, so that producers may receive a higher return on fluid milk covered by allotments and a lower return for milk produced in excess of allotments. This pricing system would discourage overproduction and surpluses caused by the so-called blend-price system.

This plan is supported by the administration, and it was passed by the House of Representatives. I think it should be adopted by the Senate.

My interest in this amendment has nothing to do with the relative merits of oleomargarine and butter. Over 90 percent of Arkansas milk production is marketed as fluid milk. Participation in the proposed pricing system must be approved by a two-thirds vote of the farmers in each milk-marketing area. Arkansas milk producers favor the class I—fluid milk—base plan system, and I support them.

The amendment of the Senator from Wisconsin, of which I am a cosponsor, is to the advantage of fluid milk producers. In my State 90 percent of the milk is sold in the form of fluid milk. They are in favor of this amendment. If the figures which the Senator from Wisconsin has given—and he has more knowledge on this subject than I have—are correct, it will be an advantage to producers of fluid milk. This is an alternative to the present system. As he has said, it is permissive. I do not think it is to the disadvantage of butter. I have nothing against butter——

Mr. AIKEN. I know that.

Mr. FULBRIGHT. Oleomargarine still can be bought for less than 30 cents a pound, less than half the price of butter. As the Senator knows, the only reason why my oleomargarine bill did not pass many years earlier was that of unlimited debate in the Senate. It passed the House many times. It was in the consumers' interest that we enabled them to purchase the healthy spread known as oleomargarine.

Mr. AIKEN. I am glad the Senator from Arkansas has become reconciled to the use of some butter.

Mr. FULBRIGHT. I did not hear the Senator. What butter?

Mr. AIKEN. Some butter.

Mr. FULBRIGHT. Oh, it has its place.

Mr. AIKEN. Let me tell the Senator from Arkansas that if the amendment proposed by the Senator from Wisconsin should be adopted and the marketing order areas were to go ahead under the proposal, there would be much more butter in competition, if producers are required to cut down on the production of class I milk.

Mr. FULBRIGHT. I agree with the Senator. That which is least profitable should show a decline immediately.

Mr. PROXMIRE. Certainly as compared with the present situation.

Mr. AIKEN. Mr. President, my 15 minutes are going fast, and I have many questions to ask.

Assuming that a group of producer-organizations sells milk in two order areas; could they vote in both of them? There are many of them up and down

the New York-Vermont boundary line. First, they will ship milk to the Boston market, and then to the New York market; they shift back and forth. Could they vote in both areas?

Mr. PROXMIRE. There is sufficient flexibility in the proposal so that the Secretary of Agriculture could permit it if they had a history. For example, if one farmer owned two farms, one selling in one market and the other in another market he should be allowed to continue as he had been doing.

We are anxious to do all we can, the Secretary recognizes this, and this would be the intent of the amendment—not to permit a dairy farmer to violate the spirit of this provision by acquiring bases in more than one market for one farm.

Mr. AIKEN. That question is rather immaterial. The next question, I think, is more important. This amendment calls for a base for marketing, not for production. Is that correct?

Mr. PROXMIRE. That is correct, but the base is established on the basis of the history of production—not of marketing, but of production.

Mr. AIKEN. Suppose a farmer has a base of 2,000 pounds a day, and half of his cows go dry. There are times when they do go dry. Could he sell his full quota?

Mr. PROXMIRE. Yes.

Mr. AIKEN. Where would he get the milk?

Mr. PROXMIRE. So long as his herd produced milk he could do it. If his herd produced it he could market it.

Mr. AIKEN. How could he do it under the Senator's proposal?

Mr. PROXMIRE. He could buy somewhere else and sell it? Is that what the Senator means?

Mr. AIKEN. Yes. It has been done before.

Mr. PROXMIRE. Under rare and unusual circumstances, it could be done, but not in many areas. It would be unusual to have a great proportion of a herd go dry at once.

Mr. AIKEN. But if a farmer had only 40 cows, and his base covered only 36 of them, that would mean a 10-percent reduction. He would not be authorized, under the Senator's amendment, to market all his milk for class I. As a result, he would have to use class II milk, to fill out his quota for class I.

Under the standards of the Department of Agriculture, and under State sanitation standards, as the Senator knows—and we had this matter up in 1963—the requirements for manufacturing milk are far below class I milk in many areas. However, class II milk is produced under the same 83 sanitary requirements as class I in our State.

Mr. PROXMIRE. That kind of class II is perfectly proper, but the Senator seemed to be referring to strictly class II, which would not be eligible.

Mr. AIKEN. They are not permitted to ship into the market that kind of milk.

Mr. PROXMIRE. Yes.

Mr. AIKEN. I am speaking of the class II milk which is produced on a class I quota farm, of which the producers can market all they can.

I have one or two other questions. Suppose one marketing area votes to restrict the marketing of class I milk, and the adjoining area votes not to. Could the second area ship into the first area and take up the slack created?

Mr. PROXMIRE. As the Senator well knows, it would seem to be virtually impossible, or very difficult. It would be against the interests of the farmers in the long run and against the interests of the producers. Both the farmers and the producers would be against that. All they would have to do would be to permit the farmers in the area to expand their class I base. They are always anxious to get farmers to come in. They could get plenty of milk.

Mr. AIKEN. Is there anything in the Senator's amendment to prevent areas which produced a surplus from shipping into other areas?

Mr. PROXMIRE. They can do it now. The present situation would not be changed.

Mr. AIKEN. Perhaps I can quote Secretary Freeman to convince the Senator from Wisconsin.

When the Secretary appeared before the Committee on Agriculture, Senator MONDALE asked:

> Would a class I base plan be administered to divide fluid milk sales among producers under the order at the time of the adoption of the plan or would new sources be permitted to come in freely?
>
> Secretary FREEMAN. I think new sources could be permitted to come in freely under the bill that has been before the Senate.

Mr. PROXMIRE. I believe that is correct. But that is something else. Secretary Freeman is talking about new farmers who come in that could qualify.

Mr. AIKEN. Oh, no. He is not talking about farmers, but areas, I will read the rest.

> Secretary FREEMAN. I think they would not be permitted to come in freely under the bill that has passed the House.
>
> Senator MONDALE. Will new producers of outside milk be able to enter the market and receive its full class I value without first having to earn a base during some specified production?
>
> Secretary FREEMAN. The answer is the same as to the previous question.

In other words, an area reduces its production. May another area, within reach, that qualified with high production, be able to ship into that area? There is nothing in the amendment offered by the Senator from Wisconsin to prevent that.

Mr. PROXMIRE. We can go back to my answer the first time. There is nothing except the perfectly normal economic reaction, and the producers in the area who do not want to lose their market.

Mr. AIKEN. They do ship now.

Mr. PROXMIRE. They can ship now, but in the long run there will not be others coming in, pirating it away from them. There will be an agreement to get enough milk to handle the fluid market. As the Senator from Vermont indicated, they can and do ship in now.

Mr. AIKEN. They can do it now. But if they can get Florida or any other marketing area to reduce its marketing, they can ship in more.

Mr. PROXMIRE. If a particular area wants to go out of the dairy business, it is free to do it. If farmers in Florida want to go out of the dairy business, they are free to do it, and buy milk from Michigan, Vermont, or any other place.

Mr. AIKEN. That brings me to my next question. What States are covered by the amendment offered by the Senator from Wisconsin?

Mr. PROXMIRE. It would cover all 50 States, if 50 States had a desire to have marketing orders. There are some States that do not have marketing orders.

Mr. AIKEN. Would it cover California? The Senator ought to know.

Mr. PROXMIRE. I believe California has a State, not a Federal, order. But it could cover California if California wanted to come into a Federal order.

Mr. AIKEN. If California wanted to be covered. But could North Carolina?

Mr. PROXMIRE. At the present time they do not have marketing orders.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. AIKEN. I yield myself one-half hour under the bill.

Would the Senator from Wisconsin be surprised if I told him that there are 17 States which have State orders; that 51 percent of the milk sold in this country is sold under Federal marketing orders; and that 15 to 20 percent is sold under State marketing orders?

Mr. PROXMIRE. I understand that. It would apply to California, Nevada, and a number of other States.

Mr. AIKEN. About 17 States with State orders. They would not be covered, would they?

Mr. PROXMIRE. They would not be covered if they chose not to come under the Federal orders. It is permissive, and each State would come in. The legislation would not interfere with State marketing orders.

Mr. AIKEN. Do not producers in the Chicago area ship into the southeastern part of the country now?

Mr. PROXMIRE. I am sure there is some shipment. I do not believe it amounts to a great deal.

Mr. AIKEN. Do Western States ship into California?

Mr. PROXMIRE. They may. I do not know the full pattern of marketing. It would not surprise me if they did. They probably do.

Mr. AIKEN. To come to another important matter, I believe the amendment of the Senator authorizes transfer of bases; is that correct?

Mr. PROXMIRE. Yes, indeed.

Mr. AIKEN. How would they be transferred?

Mr. PROXMIRE. They would be transferred usually in the following manner: If a farmer sold his dairy farm to another farmer, the bases would go along with the farm. If the farm were sold without the allotment, it would not be worth much. In another area he could sell his allotment if he sold the herd.

The Secretary of Agriculture would be authorized to set up regulations designed to prevent trafficking in allotments and the buildup of big corporation farms.

Let me read five lines from the amendment, at page 3. I read lines 19 to 24:

> Allocations to producers under this subparagraph may be transferable under an order on such terms and conditions as may be prescribed if the Secretary of Agriculture determines that transferability will be in the best interest of the public, existing producers, and prospective new producers.

This language provides flexibility and establishes guidelines which would help to make the administration of this provision work well.

Mr. AIKEN. The matter of transfers would be left to the discretion of the Secretary of Agriculture. Is that correct?

Mr. PROXMIRE. But he would have to act in the best interest of the public, existing producers, and prospective new producers, as the amendment provides.

Mr. AIKEN. Suppose I have been producing milk from 50 cows and I go away for 3 years. When I come back, the Secretary could decide that any base which was not used for 2 or 3 years should be transferred, could he not?

Mr. PROXMIRE. He could, and under certain circumstances that would be perfectly equitable and proper.

Mr. AIKEN. He would be an absolute czar with respect to any areas that voted to stick their necks into the noose. Where would it have to be transferred? I do not see any restriction in the Senator's amendment.

Mr. PROXMIRE. The Senator is correct.

Mr. AIKEN. It could be sold. For instance, the Wisconsin bases could be sold to lower California.

Mr. PROXMIRE. As the Senator from Washington [Mr. MAGNUSON] has just told me, if milk were wanted in any one area, and it were found to be needed there, that would be the desirable thing to do.

Mr. AIKEN. If there was too much milk produced in the Puget Sound area, would it not be in the interest to transfer that milk to another area?

Mr. MAGNUSON. The Secretary might say "No."

Mr. AIKEN. The Senator from Washington may have control over the Secretary. Some people do not have such control.

Mr. PROXMIRE. We must assume, whether it be Secretary Benson or Secretary Freeman or Secretary Anderson, that the Secretary would work in the interest of the public and that he would not work to the disadvantage of the consumer or the producer.

Mr. AIKEN. Yes. Some Secretaries have made mistakes, but we have not had Secretaries in a long time who would do anything to the detriment of the public and deliberately go against the public interest.

If a producer should sell his base and, for example, go into the Boeing plant and work in that plant, and leave his farm without a base, how would the next operator, assuming the next man wanted to produce milk, obtain his right to produce it?

Mr. PROXMIRE. Generally he gets his right to produce on the record of past production.

He can be a farmer who has not produced, for example, class I milk, but he could have had a record of producing grade II milk who decided to go to the expense of qualifying his operation for class I milk.

If the Secretary were transferring to a new producer, he could do so on the basis of the producer finding a handler, as he does now. There would be as much free enterprise as possible. It would not be up to the Secretary of Agriculture to find a handler. It would be up to the handler to find a farmer who could do the job, or up to the farmer to find a handler.

Mr. AIKEN. He would have to buy a base to produce his milk.

Mr. PROXMIRE. He might have to do so.

Mr. AIKEN. Could the Senator estimate what a fair price would be for a thousand-pound base, in case somebody wanted his milk and no bases were available?

Mr. PROXMIRE. No.

Mr. AIKEN. Let me read from a letter from an officer of Land O'Lakes Creameries, Inc., dated September 2, just a few days ago:

> I cannot for the life of me figure out how anyone in the United States could go for transferable quotas. Certainly we have mixed up the economics of marketing in the United States about as badly as possible. Up to this time we have not made the right to sell a property right. Transferable quotas would accomplish this and undoubtedly increase the cost of producing milk over a period of years. It is impossible for me to figure out why anybody would propose such a thing, although I know it has been proposed by many persons in high places and educational institutions. I hope the time never comes when the U.S. Government makes the right to sell any farm or food product a property right which in itself can be bought and sold.

That letter is signed by Gordon W. Sprague, Land O'Lakes Creameries, Inc., one of the largest butter producers in the world.

I have another question: Would the Proxmire amendment lower Government costs?

Mr. PROXMIRE. Yes, indeed. As the Senator will recall, we discussed this question in some detail in 1963. In my judgment, it would lower costs and permit the farmer to operate on a more efficient basis. He could cull out his inefficient, low producers. He could count on a particular allotment for fluid milk. It seems to me that doing so would help to reduce costs.

There would not be the temptation, in some cases, where the blend price is quite high—$4½ or $5—to bring in very inefficient producers. As inefficiency was eliminated, costs would be reduced.

Mr. AIKEN. Does the Senator from Wisconsin agree that milk is the largest single commodity sold from farms in the United States, and that the Government costs of the dairy price-support program, the cost of supplying the armed services and schools with milk, and the cost of supplying milk for the food for peace program amounts to only 7.7 percent of the total, compared with 47 percent of the total value of rice production, 66 percent of wheat production, 29 percent of upland cotton, and 22 percent on feed grains? The cost of the milk program to the Government is the least in this respect. The total for 1964 was $408 million, so there has been a sharp drop in the cost in the last 2 or 3 years.

Mr. PROXMIRE. I wholeheartedly agree with the Senator from Vermont. As he knows, the dairy farmer has done an excellent job. Nevertheless, the costs to the Federal Government would be reduced; and, my amendment would help to reduce the farm program's costs in the judgment of the Secretary of Agriculture.

Mr. AIKEN. The Senator from Wisconsin knows that when $300 million is spent for surplus dairy products during the first 6 months of a year, a good portion is recovered by resale during the last months, when there is a short season.

Mr. PROXMIRE. That is undoubtedly correct. The dairy farmers have done well, but there is still room for improvement. Nevertheless, this amendment would save money for the taxpayers and help the dairy farmers to increase their income.

Mr. AIKEN. Does the Senator from Wisconsin believe that his amendment would help to reduce a milk surplus?

Mr. PROXMIRE. Oh, yes.

Mr. AIKEN. What surplus? We are using more dairy products than we produce and have had to renege on our commitments.

Mr. PROXMIRE. The Senator from Vermont knows that up until July our cumulative purchases were about 6 billion pounds of dairy products. They are the most recent figures available.

Mr. AIKEN. What was the total for last year?

Mr. PROXMIRE. In July of last year, the comparable figure was 6.8 billion pounds. This year the figure is 6.2 billion pounds through July. The amounts are fairly close, although the total is a little less this year.

Mr. AIKEN. In the very same bill, do we not authorize the Secretary of Agriculture to go into the market and buy up, wherever he can find it, about $50 million worth of dairy products to meet the demands we are not able to meet with the products purchased under the price-support program?

Mr. PROXMIRE. The Senator from Vermont must realize that as we correct the situation and get the Government out of buying excess dairy products, we enable the dairy farmer to earn the kind of income that he deserves to earn.

According to the Secretary of Agriculture, the dairy farmers of Wisconsin are earning less than 40 cents an hour. That

is shameful. The more the excess supply is reduced, the better the situation will be for the dairy farmers. They can then begin to earn a decent, respectable living related to efficiency, investment, and their 10 to 12 hours of work every day, 7 days a week.

Mr. AIKEN. Does the Senator from Wisconsin believe that integration or take-over of milk production by retail outlets would be helpful? And to whom? Suppose the practice is followed which has been carried on in the broiler industry. I am not talking entirely from hearsay, because the talk now is to the effect that the retail stores could go into the producer handler business and buy bases from the small producers who are squeezed out by voting to reduce their production. The retail stores would produce their own milk, just as the chainstores and other markets produce their broilers now. This bill is exactly what they want.

Mr. PROXMIRE. This bill is exactly what they do not want. What they are concerned about is that on page 5 of the amendment, lines 13 to 15, we provide:

> The provisions authorized under this subparagraph may be made applicable to a regulated handler's own production of milk.

I have been discussing with another Senator the possibility of eliminating that language. I do not believe it should be taken out, because I believe we should do everything we can to provide the strongest protection for the family farm to stop vertical integration.

Mr. AIKEN. Does the Farmers Union favor selling milk bases?

Mr. PROXMIRE. The Farmers Union has never opposed that. Their concern was that the amendment did not provide the kind of assistance needed for manufacturing milk producers. I agree. That is a slice of bread, not a whole loaf. I presume they did not have any particular concern with selling bases.

Mr. AIKEN. The Senator from Wisconsin spoke about the Department of Agriculture's support. I have a report entitled "Agricultural Economics Report No. 3," prepared by the Department of Agriculture and Michigan State University.

They say:

> As expected, for each farm type, profitable milk production is less under the two-price plans than under blend pricing for unlimited production, regardless of whether the farm could add land as a substitute. Smaller milk sales and lower excess milk prices would reduce farm incomes.

The title of the report is "Milk Production Allotment and Class I Base Plans." That is from the Michigan State Agricultural College, prepared in conjunction with the United States Department of Agriculture before they made the report.

Mr. PROXMIRE. Mr. President, I say, in answer to the Senator from Vermont, that I would prefer to rely on the farmers other than on professors.

The farmers know what is good for them, and unless they vote by a two-to-one vote, they will not get the program. Any time they want to, they can knock it out by a majority vote. What could be more fair?

Mr. AIKEN. Mr. President, I have a telegram from the New England Milk Producers Association. That is the largest milk producer organization in New England. They are opposed to the general farm bill, H.R. 9811. The telegram reads as follows:

BOSTON, MASS.

Senator GEORGE AIKEN,
Washington, D.C.:

New England Milk Producers Association is opposed to the general farm bill, H.R. 9811, for several years, the association's delegate body has passed resolutions against quota control of production by individual dairy farmers such as the class I base plan proposed in H.R. 9811. Even the voluntary aspect of the plan is objectionable, for mixed acceptance of the plan would create problems calling for mandatory controls at an early date. We are strongly opposed to any general exemption of producer handlers from the Secretary's milk price regulations. We understand that Congressman O'BRIEN of New York State will offer an amendment to H.R. 9811 proposing such exemption and we vigorously opposed any such possible amendment.

JOHN F. ADAMS,
General Manager,
New England Milk Producers Association.

Mr. President, I also have a telegram from what I believe is probably the largest dairy cooperative in the world. It is the Dairymen's League Cooperative Association, Inc.

It is certainly the largest cooperative in the Northeast. They have 17,000 members. They state:

> Any attempt to strangle the incentive and productive capacity of our dairy industry is ill-advised and has dangerous implications for the future. Furthermore, we have seen no evidence to indicate that the dairy quota program, as proposed in the original farm bill, will provide any improvement in the net income of dairy farmers. On behalf of our 17,000 member families, we urge you to oppose any efforts to reinstate the dairy quota section in the farm bill now under consideration.

Mr. PROXMIRE. Mr. President, in 1963 the same issue was raised. We pointed out then the policies of the members of the organization, not the leadership, but the members of the Farm Bureau in New York. In every single case, a substantial majority wanted the class I plan. Even when the Farm Bureau members were polled, they voted 5 to 4 for this class I base plan, in most groups, the vote was 4 to 1 or 5 to 1, whenever they were given an opportunity to vote.

Furthermore, this plan would not go into effect unless they voted 2 to 1 in a referendum in their area. Then it would not affect any other area.

The Senator from Vermont has quoted from telegrams and indicated that some of the leaders of this organization are opposed to the class I base plan. They have always been opposed.

Mr. AIKEN. Do leaders not count?

Mr. PROXMIRE. They count, yes. I believe their words should be listened to. However, we should also listen to the members.

Mr. AIKEN. I have here a telegram from the Farm Bureau. They are opposed to it, too.

Mr. LAUSCHE. Mr. President, the statement was made that the leaders count. That statement is dependent upon the type of economic association they promote.

Mr. AIKEN. The Senator is correct.

Mr. LAUSCHE. There are certain leaders whose word is law. There are other economic associations which have leaders whose word means nothing. I think we had an example today of a case when the word of the leader counts; and it is followed implicitly and without deviation.

Mr. AIKEN. I also have some more information. However, I do not believe that I need to have any more of the communications printed in the RECORD now.

If the amendment of the Senator from Wisconsin is agreed to and most of the order areas tried to avail themselves of it and operate under it, they would find it the worst law that they have had for a long time. I do not say that there are not one or two areas which have been so badly mismanaged they would be better off with anything at all. However, for most of them, this would be starting down the primrose path toward Utopia. I forget whether it was the friend of the Senator from Wisconsin or someone else who told the dairymen of our area of this Utopia for milk producers. However, one of the agitators who came to New England said that the Proxmire bill would bring Utopia to dairymen. All I could think of was that it was the first time that I knew of when there was a primrose path to Utopia.

Mr. PROXMIRE. Mr. President, I yield myself 5 minutes so that I may yield to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. MONDALE. Mr. President, I commend the Senator from Wisconsin for his leadership in this important effort to improve the lot of the dairy farmers. The figures he just cited indicate that earnings for the dairy farmer are approximately 40 cents an hour. That underscores the fact that, of all the commodity programs, there is none that is less effective in terms of farmers' income than the program for the dairy farmers of this country.

Coming, as we do, from the two States of the Union which produce more milk and more dairy products than any other State, I think we have a responsibility to speak for our dairy farmers and try to do all we can to lend our support to proposals designed to provide them with more support.

I also commend the Senator for his explanation of the Class I proposal which passed the Senate last session and which is now before the Senate in identical form.

I understand that the language of the amendment of the Senator from Wisconsin is the so-called class I base bill, which the Senator first introduced as S. 1915 in 1963, and which is identical

to S. 399, a bill introduced by the senior Senator from Louisiana [Mr. ELLENDER], which was considered during the present hearings before the Senate Committee on Agriculture and Forestry.

Mr. PROXMIRE. The Senator is correct.

Mr. MONDALE. Mr. President, during the recent hearings before the Senate Agriculture Committee, I inquired of the Secretary of Agriculture whether the Senate version of the Class I Base bill would restrict or in any way limit the entry of outside milk into any marketing area. The Secretary's answer to my questions appears on pages 1366 and 1367 of the hearing record. The Secretary assured me that under the Senate bill, new producers of outside milk would be able to enter the market and receive the full Class I price without first having to earn a base during some specified production period. Is that also the understanding of the Senator from Wisconsin?

Mr. PROXMIRE. Yes, it is. The class I Base Bill would in no way change the present law as interpreted by the Supreme Court in the Lehigh case.

Mr. MONDALE. Mr. President, I ask unanimous consent that the colloquy which I had with the Secretary of Agriculture, and which appears on pages 1366 and 1367 of the transcript of hearings be printed at this point in the RECORD.

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

The CHAIRMAN. Senator MONDALE, I understood that you desire to ask a few questions as to the program.

Senator MONDALE. Yes. Mr. Secretary, I know I don't have to recount the problems that our milk producers have had in Midwest. Indeed, I think that in your testimony at the outset of these hearings, you pointed out that the dairy farmer is perhaps the worst off of all of our farmers.

I was happy to see some improvement in the returns to our dairy farmers, in 1964 over 1963 but I think it still is very low. I am pleased to see the reserves of butter and powdered cheese are no longer burdensome. Indeed, I think, they are below in every case, the recommendations for national reserves.

Now, there is a great deal of discussion about this proposed class I base program and I see that the House bill, as recommended by the House committee, incorporates the so-called Poage bill. Following the Lehigh Valley case, there has been I think a very healthy development in terms of the intermarket movement of milk. As a result, milk now moves between markets into an order market easier than it did, easier that it could before.

I am worried about the restrictive features of a class I program. I must say there are certain parts of it that I think could have an appeal if we can get away from the blend price, that we might take off some of the incentive for increased surplus production. But I am afraid that there is built into the class I proposal, at least, as we see it in the House and some have testified here in the Senate, an exclusionary provision that will have the effect of eliminating all of the encouraging interstate marketing of milk that has come about since the Lehigh Valley case.

I would like to ask you a few questions along those lines, if I may.

Would a class I base plan be administered to divide fluid milk sales among "producers" under the order at the time of the adoption of the plan or would new sources be permitted to come in freely?

Secretary FREEMAN. I think new sources could be permitted to come in freely under the bill that has been before the Senate. I think they would not be permitted to come in freely under the bill that has passed the House.

Senator MONDALE. Will new producers of outside milk be able to enter the market and receive its full class I value without first having to earn a base during some specified production period?

Secretary FREEMAN. The answer is the same as to the previous question.

Senator MONDALE. In other words, your understanding of the Senate version as we now see it is that outside milk could come in freely and earn a class I base and receive a class I price.

Secretary FREEMAN. Yes, that is my understanding. Under the Senate bill, both new producers and those who have been in the milk business but not in a given market can come in and get a base in due course as well.

Senator MONDALE. Now, can an outside milk producer ship class I milk into the milk market order area?

Secretary FREEMAN. Under the Senate bill, yes.

Senator MONDALE. And sell it in the first instance for class I price?

Secretary FREEMAN. That is my understanding.

Senator MONDALE. Well, now, what bothers me about this is that as I understand the class I program, it will be essentially constructed as follows. There will be some study made of the traditional demand for class I. Then the class I demand will be allocated among the traditional suppliers of class I and each will be allocated a class I production base. Then the handlers in effect act as a conduit, take the money from the sales and return it to the farmers. But if in addition outside milk is able to come in and receive the class I prices, it seems to me that by that fact you are dislocating part of the traditional market upon which the whole basis of the class I base system is structured. You are dislocating part of the demand. Where are those who have been allocated bases going to get their money?

Secretary FREEMAN. I cover that by saying it would be no different than it is now in any milk market order where someone can come in, and does, and what keeps them from coming in is either local sanitary regulations or transportation cost differentials. So there would be no difference between the application under this provision under the base excess plan than there is under the operation of the milk marketing orders now.

Senator MONDALE. Would you have any objection to the amendment of the class I plan that would clearly write in your understanding of its operation; that is, the Senate version, to provide that the full impact of the Lehigh Valley case is not intended in any way to be modified and that outside milk can come in and receive a class I price at the outset without any discrimination or period during which they get the manufactured milk price?

Secretary FREEMAN. I have no objection to a clarification that will continue the same treatment of outside milk as is presently provided.

Mr. MONDALE. I should also observe that the testimony of the National Milk Producers Association, first by Mr. Lake, and later by Mr. Norton, appearing at pages 1126, 1133, and 1134 of the transcript of hearings expresses precisely the same view of their understanding of class I base bill.

Mr. PROXMIRE. That is my understanding exactly.

Mr. MONDALE. And that testimony, on behalf of this proposal, represented the consensus of most of the milk producers of this country.

I ask unanimous consent at this time that the testimony of Mr. Lake, appearing in the last paragraph at the bottom of page 1126, my question and answer of Mr. Lake appearing at the bottom of page 1133, and the response of Mr. Norton, appearing at the top of page 1134, be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Mr. LAKE. The new base provisions would not result in barriers to the movement of milk. The movement of milk from area to area is a fact of life. These movements are taking place over wider areas and to a growing degree under the present terms of Federal milk marketing orders. None of the other provisions of the act would be changed in any way, and section 8c(5)(G) of the act, as interpreted by the Supreme Court in the case of *Lehigh Valley Cooperative Farmers* v. *United States*, would remain unimpaired.

* * * * *

Senator MONDALE. I was pleased to note your testimony at the top of page 6 in which you state the federation does not wish by the proposed class I marketing plan to place any barriers on the movement of milk and to retain section 8c(5)(G) in full force and effect as interpreted by the *Lehigh Valley* case. I assume that you would have no objection if we would include an amendment in the class I proposal which spelled out the clear meaning of this paragraph, and stated in effect that regardless of anything else in the act or in this amendment the provisions of 8c(5)(G) should apply.

Mr. LAKE. I think that is about what we have said here. That none of the other provisions of this act would be changed in any way, and section 8c(5)(G) of the act as interpreted by the Supreme Court in the case of Lehigh Valley Cooperative Farmers against the United States would remain unimpaired.

* * * * *

Mr. NORTON. Senator, this section that you refer to was referred to the Department of Agriculture Solicitor's Office and the Solicitor there maintains that is what the section is—S. 399 means, and we certainly do not object to any longer opinions, shorter opinion, amendment to or inclusion in the law which clarifies this to anyone's satisfaction. We have no intent whatsoever to change the intent of the *Lehigh Valley* case.

Mr. MONDALE. All of that underscores the point of the Senator in charge of the bill as to what is intended by the sponsors and authors of this legislation as it relates to this proposal. In other words, the Senator's understanding of the Senate version would coincide exactly with that of the Secretary as expressed in his testimony before the Senate committee—that is, that an outside milk producer would be able to ship milk into any milk marketing order area and in the first instance receive the class I price without first having to earn a base?

Mr. PROXMIRE. Yes; that is my understanding exactly.

Mr. MONDALE. Some of my producers have been concerned with the introductory language beginning, "notwithstanding any other provisions of this

section, and so forth." They are worried that the new class I base amendment would be made effective notwithstanding any other section of the bill including 8(c)(5)(G), which is the section cited by the Supreme Court in the Lehigh case as prohibiting any restrictions on the entry of milk into any marketing area?

Mr. PROXMIRE. No; and I am glad the Senator from Minnesota gives me an opportunity to clarify that point. That is not the intent of the introductory language. The only purpose of that language is to overcome any inconsistency which might arise from the present allocation provisions contained in section 8(c)(5)(B) of the act. The amendment would simply provide that the proceeds of the market could be allocated according to the producer's base.

Mr. MONDALE. I thank the Senator. I am satisfied that our discussion will make it clear that no new restrictions on the free entry of outside milk into any marketing area are intended by the Senator's amendment.

Let me add, however, that I find some who complain that the concept of free entry into a fluid milk market is new and unique.

Mr. PROXMIRE. It has been going on for years. The purpose is to establish with certainty that the practice will not be prohibited by the new legislation.

Mr. MONDALE. There is a considerable body of law, of which the Lehigh Valley case is the landmark case, interpreting the meaning of free access under section 8(c)(5)(G). All we are saying, in effect, is that the same law should apply to class I base plans which now applies in milk-marketing orders.

Mr. PROXMIRE. The Senator is correct. There is no change.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Washington.

Mr. MAGNUSON. There has been a great deal of discussion as to who endorses the Senator's amendment and who does not endorse it.

I am not a dairy farmer. There are many good dairy farmers in my State. But ever since I cosponsored the amendment with the Senator from Wisconsin in 1963, I have received considerable mail, not only from the cooperatives, the granges, and the Farmers' Union but from individual dairy farmers, suggesting that this was a good amendment, that it was what they wanted.

I do not know what the dairy farmers in New York may have to say through their leaders or otherwise, but I wish the record to be clear that the Washington State Grange, which I think has closer contact with the dairy farmer than any other organization in my area, both Oregon and Washington, particularly the western part, in which there are more dairy farms, wholeheartedly sponsors the Senator's amendment, as it did 2 years ago.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PROXMIRE. Mr. President, I yield myself 1 minute.

I think it very significant that both Senators from Washington [Mr. MAGNUSON and Mr. JACKSON] are cosponsors of this legislation. They know that in British Columbia, where such a system has been tried for a number of years, it has worked very well, has helped the dairy farmer and has not hurt the consumer. It has been most satisfactory. Of course, having witnessed that program and how it works, they want it in Washington.

Mr. MAGNUSON. I am sure that if a vote were taken today, they would vote for the plan 2 to 1.

Mr. AIKEN. Was that a telegram from the Carnation people the Senator was discussing?

Mr. MAGNUSON. No, it was from the master of our State grange.

Mr. AIKEN. I misunderstood.

Mr. MAGNUSON. I did not wish to encumber the RECORD with it. It also contains a little discussion about the weather and other matters.

Mr. AIKEN. Fine. Mr. President, I yield myself 2 minutes.

I ask unanimous consent that there be printed in the RECORD a letter to me from the American Dairy Association of Vermont dated September 9, 1965, opposing this legislation.

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

AMERICAN DAIRY ASSOCIATION
OF VERMONT, INC.,
Montpelier, Vt., September 9, 1965.

Hon. GEORGE D. AIKEN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR AIKEN: The executive committee of the American Dairy Association of Vermont, Inc., at a meeting held on Thursday, September 2, 1965, directed that I write to the Vermont congressional delegation expressing their concern about the dairy section of the omnibus farm bill. The committee feels that the House version of the farm bill places all dairy promotion in jeopardy inasmuch as the class I base plan in the dairy section states that any increase in bases as a result of increased sales would first go to new producers. If the omnibus bill which is finally approved should contain such a provision the committee feels that the incentive for dairy promotion would be lost if producers cannot benefit from increased sales.

Vermont dairymen are currently contributing over one-half million dollars for milk promotion in the markets where their milk is sold. They lead the Nation in their contribution to dairy promotion. It is fundamental to the continuance of this program that the producers continue to receive the benefit from their efforts.

Sincerely yours,
EDWARD A. PETERSON,
Manager.

Mr. AIKEN. I should also like to state that there is a way the producers in the Chicago area might improve their lot. The Department of Agriculture is holding a hearing in the Chicago area, I think starting the 20th of this month, on the problem of the Chicago market area. Something is obviously wrong with it, for it to be in so much worse condition than the rest of the country. But the Department of Agriculture is starting hearings, and we hope some good will come of it. That is the right way to go about achieving better income.

Mr. ELLENDER. Mr. President, I yield myself 10 minutes.

I hoped that the Senate would not take up any amendments on the milk program. The matter was submitted to the committee, and by a vote of 13 to 2, it was decided not to include a dairy section in the bill since the House of Representatives had a title dealing with milk in their bill which contained undesirable clauses. We felt that we might have a better chance to obtain desirable legislation if we did not include a title which dealt with milk in the committee amendment. I believe the same situation would prevail if the dairy title should be defeated on the Senate floor, since the Senate conferees would then have wide latitude and great bargaining power in working with the House conferees to obtain the most desirable provisions possible.

The proposed Proxmire amendment was agreed to by the Senate 2 years ago. Under the rules of the committee of which I am chairman, I submitted the language of the Proxmire amendment in a bill numbered S. 399. The so-called Proxmire bill of 2 years ago is identical with the bill that I introduced as chairman of the committee and the one that is being presented now.

It is my opinion that under the law as it now stands, that is, the Agricultural Marketing Agreement Act of 1937, as amended, the Secretary of Agriculture could provide producers with one price for their share of the class 1 milk and necessary reserves and another for their excess milk. But to make certain that the Department of Agriculture would carry out what Congress intended, I supported the Proxmire bill 2 years ago.

Under the 1937 Marketing Agreement Act, it was the intention of Congress to say to farmers who organized themselves into a milkshed, "If you get together and produce milk for direct consumption, we will see that the price of that milk will be one at which you can make a fair income."

That would have worked well practically all over the country, except in some of our Northern States, where milk production was far in excess of demand.

When the Agricultural Marketing Agreement Act of 1937 was enacted, I doubt that as many as 35 States produced sufficient milk for direct consumption. As time passed and production increased, a practice developed of establishing a blend price for milk, whereby the milk that was produced for direct consumption was added to the milk that was produced for making cheese, butter and other products, and that blend price, in my opinion, induced or actually forced the production of more and more milk.

In one of the milksheds, more specifically the Chicago area, 39 percent of the milk produced is now used for direct consumption and 61 percent is used for manufacturing purposes. That huge

amount of milk produced in excess of class I occurred because, as I said, a blend price, made possible through administrative rulings of the Department of Agriculture, is in effect there.

The Department, in my opinion, in the early stages of the marketing program did not follow what Congress desired. I repeat, the Congress wanted to make it possible for farmers to furnish our country good, pure, wholesome milk produced under the highest of sanitary conditions, and receive good prices for it. But, the blend price forced individual farmers to produce more and more in order to maintain their income, as the blend price declined.

Mr. President, one of the most vexing problems that the Committee on Agriculture and Forestry has had to deal with in past years has been the milk program.

As I showed in the RECORD last week, the milk program has cost, since its inception, approximately $4,750 million. In fiscal 1964, the milk program cost the taxpayers $829 million. Although that is a substantial amount, when we consider the total value represented by milk production and its byproducts, as the Senator from Vermont has pointed out, it is much less, percentagewise, than most other commodities on which we have price support.

Mr. President, as I said, the committee voted 13 to 2 not to take action on the milk program, but for us to proceed and try to deal with the House, since it had a provision somewhat similar to what we propose to do through the Proxmire amendment. The House bill has several undesirable features, and it would seem to me that we would fare better if we were to leave the milk provision out of the bill so that we might be in a better position to deal with the House. My fear is, as I said, and I do not know, I have never canvassed around to see who would vote for what on the milk program, but I can well see that if insistence is made to add a milk title to the bill, we may not be able to bargain as well with the House as we can by leaving it out and trying to get a compromise after the bill is enacted. I am sure that we can work our will in conference. I stated that before the committee. I am now stating it to the Senate.

I have no objection to the enactment of the bill which I personally introduced, because it is trying, more or less, to force the Department of Agriculture to do what we intended be done under the 1937 Marketing Act. Further, I supported the enactment of the Proxmire bill in 1963 very vigorously, and under different circumstances would also support the Senator at this time very vigorously. However, as I said, it is my opinion that to include this amendment in the bill will present the Senate with unusual problems in trying to deal with the House in conference.

Mr. AIKEN. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Does the Senator from Louisiana yield to the Senator from Vermont?

Mr. ELLENDER. I yield.

Mr. AIKEN. Apropos of what the Senator has said regarding the cost to the Government, let me point out that in 1963 the cost of the price support and related programs was $431 million. In 1964 it was $599 million. In 1965 it is estimated to be $288 million, so the cost is coming down.

Mr. ELLENDER. Mr. President, I have before me the hearings of the Agricultural Appropriation Act for 1966 and I ask unanimous consent to have a tabulation therein printed in the RECORD at this point; it appears on page 308, part I of the agricultural appropriations bill for 1966.

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

Net realized losses and funds used for activities directly involving dairy products fiscal year 1964

	Millions
Agricultural Stabilization and Conservation Service (Commodity Credit Corporation)	
Price-support program, net realized losses:	
Payments to Veterans' Administration and armed services under sec. 202 of the Agricultural Act of 1949, as amended, for fluid milk used in excess of normal requirements and donations of other dairy products:	
Butter	$17.4
Cheese	1.3
Milk, fluid	26.5
Total	45.2
Donations from CCC inventories under sec. 416 of the Agricultural Act of 1949, as amended:	
Domestic:	
Butter	108.3
Cheese	50.4
Milk, dried	29.3
Total	188.0
Foreign:	
Butter	25.0
Butter oil	98.8
Cheese	1.9
Ghee	5.6
Milk, dried	100.9
Total	232.2
Other price-support losses:	
Butter	49.5
Butter oil	1.9
Cheese	3.8
Ghee	.1
Milk, dried	41.9
Total	97.2
Total, price-support program	562.6
Commodity export program, net realized losses:	
Milk, dried	29.7
Butter and butter products	6.9
Total	36.6
Public Law 480:	
Title I: [1]	
Milk, condensed	12.6
Milk, dried	7.5
Milk, evaporated	3.0
Butter and butter products	.9
Cheese	.1
Total	24.1

Net realized losses and funds used for activities directly involving dairy products fiscal year 1964—Continued

	Millions
Public Law 480—Continued	
Title II:	
Milk dried	$8.9
Butter and butter products	11.9
Cheese	.5
Total	21.3
Title IV: [1]	
Butter and butter products	1.4
Milk, condensed	.7
Milk, evaporated	.2
Total	2.3
Total, Public Law 480	47.7
Consumer and Marketing Service:	
Special milk program for children	97.1
Removal of surplus agricultural commodities (sec. 32):	
Butter	52.8
Cheese	23.9
Milk, dried	8.3
Total	85.0
Total	829.0

[1] Amounts shown represent gross cost—do not reflect recoveries from sales of foreign currencies under title I and collections under title IV.

Mr. ELLENDER. Mr. President, the table states that the net realized losses and funds used for activities directly involving dairy products for the fiscal year 1964, and it shows the various programs for which we spend money for milk, including the separate appropriations which are made.

The total amount is $829 million for fiscal 1964.

Mr. AIKEN. For what year?

Mr. ELLENDER. Fiscal 1964.

Mr. AIKEN. Yes, but that is the total, including food for peace.

Mr. ELLENDER. I know, but that is——

Mr. AIKEN. The figures that I was reading concerned support prices.

Mr. ELLENDER. That is the total cost—for school milk for children, milk selling under special laws, at a bargain to the Army, Navy, and Air Force—also section 32—there is a lot of milk——

Mr. AIKEN. The Senator is correct.

Mr. ELLENDER. Purchased under section 32, and it includes the entire cost.

Mr. AIKEN. Both figures are correct, I believe.

Mr. ELLENDER. The Senator is correct. I am sure that my good friend the Senator from Vermont knows there is another provision in the bill before us which would give the Secretary of Agriculture the right to purchase milk and milk products in the open market in event that the surplus runs out, but I believe——

Mr. AIKEN. That would really do some good because we have no surplus at the present time.

Mr. ELLENDER. Yes—but I favor it.

The PRESIDING OFFICER. Who yields time?

Mr. PROXMIRE. If the Senator from Vermont wishes to yield back the remainder of his time, I will——

Mr. HOLLAND. Mr. President, if someone will yield me a few minutes, I should like to ask——

Mr. ELLENDER. Mr. President, I yield 2 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. HOLLAND. Mr. President, most of the inquiries and complaints which have come from my State—and there has been some support from my State as well—but the complaints have been against what they regard as an invitation to the shipment of milk from south of the State. At present, we have one milkshed—the Miami milkshed, under the Federal marketing order. Two others are in contemplation. They are working on them. Apparently, there are many dairymen who are fearful that coming in under this bill, if it were to be enacted, would open the door to the shipment of large quantities of outside milk into those two new milkshed areas which would cover most of the highly populated portions of the State other than the Miami area, which is already covered.

I should like both of my distinguished friends to comment upon this, because it seems to be a matter of substantial concern to some of my dairy people.

Mr. PROXMIRE. Let me say to the Senator from Florida that I believe his is a perfectly proper concern, but my best judgment is that this amendment would have no effect whatsoever on that problem. It would not change the present milk marketing situation one way or the other. The situation would be precisely the same that maintains now. There is a possible hypothesis that I believe the Senator from Vermont may or may not espouse; that it is conceivable that the farmers and the marketing order area in Miami may, under this kind of situation, choose to reduce production quite sharply. It is also possible that they might even decide to go out of the dairy business. They might of course do so now without this amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PROXMIRE. Under those circumstances it is possible that more milk would be shipped in. But this is most illogical and certainly would be against the interests of the farmers and handlers. I think there would be every expectation that the matter would be handled in such a way that they would continue to produce the fluid milk they need in the Florida area. They might decide to reduce the excess, but it would not have a significant effect on the flow of milk into Florida.

Mr. HOLLAND. We have very little excess production, and milk is expensive in Florida.

Mr. PROXMIRE. Then I do not think it would have much effect in Florida.

Mr. HOLLAND. The standards are high. The great percentage of the milk—my recollection is 90 percent—is consumed as liquid milk.

The concern manifested by certain dairymen who have communicated with me is that the bill, if it is followed by bringing these two areas into the milkshed, would be an invitation to receiving milk from other producing areas where the milk is not so good.

Mr. PROXMIRE. This provision would enable the Florida farmers to preserve this good condition, and not diminish their blend price. Many marketing order areas have started that way, but have deteriorated. There is no reason why there should be an increase of milk going into Florida in view of the fact that the producers in Florida are interested in this matter and are undoubtedly capable of taking care of the situation now.

Mr. AIKEN. Mr. President, I was about to say——

The PRESIDING OFFICER. All time has been used, unless the Senator wishes to yield time on the bill.

Mr. AIKEN. I yield 2 minutes on the bill.

I was about to say, in response to what has been said by the Senator from Florida and the Senator from Wisconsin, that any Federal market order area where the producers vote to reduce their production of class I or drinking milk would be subject to invasion of surplus milk from other areas.

Mr. HOLLAND. Mr. President, if I may have 1 minute on the bill——

Mr. ELLENDER. I yield 1 minute on the bill.

Mr. HOLLAND. Just what does the Secretary mean in his testimony in which he contrasts the situation between the House provision and this provision, referred to as the Proxmire provision, by saying this provision would invite flowing in of milk across a State line and the other would not?

Mr. AIKEN. The Secretary spoke on that subject, because the provisions of the House bill would virtually prohibit the importation of milk from outside an area that had voted to reduce its class I production. That is the principal difference between the House provision and the provision of the Senator from Wisconsin.

Mr. HOLLAND. I thank the Senator.

Mr. PROXMIRE. Mr. President, I have 4 minutes remaining, I believe. I yield 1 minute to the Senator from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON. Mr. President, I do not know how the pending amendment would apply to Virginia, but our farmers say it would help them and the producers. Therefore, I shall vote for it.

Mr. President, on another matter, we have an amendment, No. 441, by the Senator from Maryland [Mr. BREWSTER], which would limit all payments from all sources to $10,000. Back in 1949 I voted to end this program of supports. Following that, not only did it not end, but it grew bigger and bigger. I do not think $10,000 is very much. I send to the desk an amendment to the amendment which would raise the amount to $25,000 and provide that there shall be no payment after January 1, 1967, to any corporation.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. LAUSCHE. Mr. President, will the Senator from Vermont yield for a question? May I have 2 minutes on the bill?

Mr. AIKEN. Yes, if it comes out of the time on the bill.

Mr. LAUSCHE. The mail and telegrams which I am receiving indicate that the small milk producer is against the Proxmire amendment and the large producer is for it. I have my own surmise as to the cause of the divergence of views. Will the Senator from Vermont give me his understanding of the reason for this divergence of views?

Mr. AIKEN. I think it is easy to see why. If the small producer, one milking 20 or 40 cows, was forced by the majority to reduce his production 10 percent, it would put him out of business, because his capital costs would not come down at all, and the dealer and handler, the retail store and chain store, and any other organization would come in and pick up that farmer's base, and pretty soon they would control the whole business. They have that in mind, too.

Mr. PROXMIRE. Mr. President, I yield myself 1 minute.

Answering what the Senator from Vermont has said, in order to have such a catastrophic effect on the farmer forum there would have to be a 2-to-1 vote of the producers and farmers in the milk marketing area. There are more small farmers and producers than big ones. If the small producers do not want this program, it will not go into effect. Only if the small producers, and some big ones, want it, will it go into effect. Cows do not vote. Acres do not vote. Each individual farmer, however small, has as big a vote as the biggest farmer. It is one farmer, one vote.

Mr. AIKEN. Does the Senator believe that in any State where there are marketing orders under State law they should continue to operate under those marketing orders?

Mr. PROXMIRE. Of course. This amendment would not affect that.

Mr. AIKEN. The N.A.M. will be glad to hear of that defense of section 14(b) by the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin has 2 minutes remaining.

Mr. PROXMIRE. Mr. President, if the Senator from Vermont is willing to yield back his time, I shall be glad to yield back my time.

Mr. AIKEN. I am glad to yield back my time.

The PRESIDING OFFICER. All time on the amendment has been either yielded back or exhausted.

Mr. MILLER. Mr. President, I send to the desk an amendment to the amendment of the Senator from Wisconsin, and ask that it be stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. It is proposed on page 3, line 19, to strike out everything beginning with the word "Allocations" through the period at the end of page 3, line 24, inclusive.

Mr. MILLER. Mr. President, I would like to say to my colleagues that I have

three amendments I propose to discuss, though very briefly. I hope the Senator from Wisconsin will accept them. I do not expect to take a long time on the amendments.

I was one of two members of the Agriculture Committee who voted against the deletion of the dairy title from the agriculture bill. I felt that the committee should have considered the dairy title and should have worked to perfect it rather than delete it. My amendments are the very amendments I had planned to offer in committee if the title had been left in.

I appreciate the fact that a great amount of time and effort have gone into what is known as the Proxmire amendment. I do not know whether it would work or not, but it has a meritorious theory behind it. I for one did not like to see short shrift given to it. I refer to the transfer of allocations on page 3 of the language which I find undesirable, as follows:

> Allocations to producers under this subparagraph may be transferable under an order on such terms and conditions as may be prescribed if the Secretary of Agriculture determines that transferability will be in the best interest of the public and prospective new producers.

My difficulty with this language is that I am opposed basically to a system of transfer of allotments and allocations.

There was a title in the bill which would have covered the transferability of allotments of acreage. The committee deleted this title for several reasons. One reason was that where there was set up a system of transfer of allotments, it lays the foundation for the larger farmer to grow bigger and the small farmer to go out of business.

In other words, I believe, insofar as the assurance that the Secretary of Agriculture would not take action against the public interest is concerned, this provision lays a foundation for just such an occurrence. What operates in the public interest and what does not operate in the public interest can mean many things to many people.

The Secretary of Agriculture may think one thing; the Senator from Iowa and the Senator from Wisconsin and many other Senators may think something else. I believe it is a dangerous precedent to set up a foundation for the transfer of these allotments.

There is another aspect. It lays a foundation for more corporation farming, and we are trying to get away from that and preserve the family farmer.

I believe the best guarantee of that assurance is to delete this language altogether. I cannot see that it is going to interfere with the basic thrust of this legislation. That is why I hope the Senator from Wisconsin will seriously consider accepting my amendment to his amendment.

Mr. PROXMIRE. With great regret I must tell the Senator from Iowa that I do not support his position on this amendment.

I can understand his argument for his amendment, but I feel strongly that if allocations are not transferable, the capacity of a dairy farmer to sell his farm could be destroyed. If a dairy farmer wants to sell a farm organized for dairy production, in terms of equipment, plant, herd, and so on, say in the Miami area, which sells 90 percent of its milk for fluid purposes, the Miller amendment means that a dairy farmer could not transfer his allocation to the farmer who bought the farm. He could not transfer at all. He would suffer an economic loss.

Furthermore, if a dairy farmer sold a part of his herd, he should be able to transfer his allocation if it was used to produce class I milk. To stop him from doing this would not be practicable or fair, and would almost be taking property without due compensation.

I must oppose the amendment offered by the Senator from Iowa.

Mr. MILLER. I regret that. But I point out to the Senator from Wisconsin that I do not believe his answer has been quite responsive. It is my understanding that, even with this language deleted from his amendment, the present law provides for transfer rules under marketing orders which permit the farmer to transfer his allocation under those rules.

So I do not believe the deletion of this language is necessarily going to do what the Senator from Wisconsin says it would do.

Mr. PROXMIRE. I say to the Senator from Iowa, with respect to his position, that such an interpretation can be put on the Department of Agriculture regulations—there are no allotments now. Whether such rules would be implicit in the market order law of 1937, is the subject of debate. I am not sure they would be. At any rate, if the Senator's position is correct, I cannot see that it has to do with any language on page 3, lines 19 through 24.

This provides that the Secretary of Agriculture may allocate allotments on the basis of certain general guidelines.

Mr. MILLER. I say to my friend the Senator from Wisconsin that I am not interested in adding to the transfer of allotment problem.

My understanding is that present transfer rules are entered in the order as base rules in certain areas, and that the permission to do so has been so interpreted under basic law, and that in these cases a transfer of an allocation is permitted.

If a farmer wishes to sell his farm to someone who wants to come on that farm, he can make that transfer. I believe in that limited situation this is all right.

It is getting away from the situation where he can sell to somebody else and provide a foundation for allocation in corporate farmers.

Mr. PROXMIRE. I cite the case of a farmer—and this is true in Wisconsin, Iowa, and many other States—who retires and has a son who wants to maintain the farm.

The son has a job in a factory and he cannot maintain the dairy farm. He has to take too much time at work. He could maintain a farm for production of some crops, but not dairy farming.

In this case the farmer sells his herd, and the value of the herd would diminish sharply if the farmer could not sell along with it an allotment to sell milk. He might have to sell outside the State. The situation might be very difficult.

Furthermore, this language permits workable flexibility.

Mr. MILLER. I say to the Senator from Wisconsin that I, too, am sympathetic about the situation in the example which he just gave us. If he is going to follow the logic of his example, this means that if the farmer can sell to a corporation or another large farmer this is all right.

I understood that that was what we were trying to get away from. If the farmer's son wishes to work in a factory and make fine wages, and wants to get away from dairy farming, that is all right. Let him do it.

Mr. PROXMIRE. This is why we asked the Secretary of Agriculture to exercise discretion.

Furthermore under the present law there is nothing to keep a farmer from selling out to a corporation selling milk in a marketing order area. This amendment of mine would not affect this situation at all.

Mr. MILLER. Does the Senator from California have a question?

Mr. MURPHY. The Senator has answered the question.

Mr. MILLER. If the Senator from Wisconsin is willing, I yield back the remainder of my time.

Mr. PROXMIRE. I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. MILLER] to the amendment of the Senator from Wisconsin [Mr. PROXMIRE].

The amendment to the amendment was rejected.

Mr. MANSFIELD. Mr. President, I yield 1 minute to the Senator from Washington.

Mr. JACKSON. Mr. President, I rise in support of the amendment offered by the Senator from Wisconsin to the omnibus farm bill. Dairy farmers in my State have for a number of years wholeheartedly supported the principles of this amendment as has the National Milk Producers Federation, which represents on a national basis the vast majority of dairy farmers and their cooperatives.

Senator PROXMIRE's amendment is more commonly known as the dairymen's class I base rating plan. It is a piece of legislation which dairy farmers throughout the Nation have almost unanimously supported. They want and need this program and they should have it. The dairymen's class I base rating plan is one of the few major legislative efforts which will result in absolutely no cost to the Government and at the same time will result in no increased cost to the consumer. This is a voluntary plan which could only be used if it were approved by two-thirds of the producers voting in a Federal order market and would result in self-imposed incentives to cut back on the production within that market.

This plan would allow a dairy farmer to relate his production to class I or

bottled sales in a Federal order market. Under this plan it would be possible for any individual farmer supplying a Federal order market to more nearly gear his production to the needs of the market. He would be free to produce as much or as little milk as he pleased but, if he produced milk in excess of the requirements of the market and in excess of his class I base, he would receive a lower manufacturing price for that milk. In this way his excess production would not adversely affect the price that was received by other dairy farmers.

This program passed the Senate in 1963 by a substantial margin. I cosponsored the bill which passed the Senate. The House, however, failed to act on the bill. This year, however, is a completely different story. Title I of the House omnibus farm bill contains provisions similar to those provided by Senator PROXMIRE's amendment.

I certainly hope the Senate can support this program again, especially when nearly unanimous dairy farmer support has prevailed.

The dairymen's class I base rating plan affects only one portion of Federal milk marketing orders and, moreover, it only affects markets where the majority of dairy farmers elect to use the program. It provides a new and modern method of distributing money among the farmers based upon their performance in meeting the requirements of the fluid milk market.

In view of these considerations the amendment offered by the Senator from Wisconsin deserves the support of every Member of the Senate. It could result in considerable savings to the Federal Government in its supporting cost of the dairy program. It will result in no increase in cost to the consumer and will serve to stabilize the dairy industry on a market to market basis.

I, therefore, strongly endorse this amendment and express the hope that it receives unanimous approval.

I also want to call to my colleagues' attention an article that appeared in the September 1965 issue of Farm Journal, comparing the operation of a class I base plan in Vancouver, B.C., with the Washington State situation where such a plan is not in effect. I believe this article is a useful description of the value of a class I plan and I commend it to the attention of the Senate.

I ask unanimous consent that the article be printed.

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

A TALE OF TWO MARKETS

(What happens to dairymen when they switch to a base plan, like the one now before Congress? This will help you decide, as we compare two markets—one with quotas, one with a Federal order.)

(By Glenn Lorang)

The most important dairy legislation in 30 years (if enacted) will be up before Congress as you read this. It appears that the class I base plan will pass, riding through Congress on the omnibus farm bill.

With this plan for pricing milk, a dairyman will be allotted a milk base—his historical share of the fluid milk sales in his market—for which he gets the class I price. The excess milk he produces above that base would bring class II (manufacturing milk) prices, considerably lower than the class I price.

Purpose is to take the incentive out of increasing production. For example: Suppose that class I milk is bringing $5 per hundred weight, class II is $3 and that 50 percent of the milk is going into fluid class I uses.

Under present Federal order markets, the blend price would be $4, since half would go into fluid use at $5 and the other half into manufacturing at $3. You can expand or cut production and still you get only $4. There's no incentive to cut back to the needs of your fluid milk market; and since the only way to increase income is to produce more milk at the $4 blend, there is an incentive to produce more.

As more dairymen do this, the proportion of milk that can be sold for class I use falls below 50 percent, and the blend goes below $4. Thus the need to produce even more milk to maintain the same income.

But with the class I base plan, you'd get the $5 for your class I base milk and only $3 for the class II excess. That's what will influence many dairymen to either cut back to the class I base, or at least not expand unless their base is increased, or they buy more base.

Supporters of the legislation say it will:

Reduce the milk surplus (and Government costs) without increasing consumer prices for bottled milk.

Maintain freedom for dairymen, because they can produce as much or as little milk as they want to.

Slow the race to get bigger. Expansion would be profitable only if you get more base, or if you can make money at class II prices.

Provide a retiring dairyman with a base that he can sell when he sells off the herd.

Those against the plan argue that it will—

Add to the cost of getting started in dairying. Beginners may have to buy their base, or earn it by producing at class II prices for a while.

Stimulate corporation farming by those who can afford to buy larger bases, unless a limit is put on such buying.

Give a big windfall to the farmer who happens to be dairying now and therefore has a base he can sell.

To see which of these claims and counterclaims hold up in actual practice, I went to two markets. One was the British Columbia market in Canada where a class I quota plan has operated since 1962. The other was the Puget Sound Federal order market directly across the border in northwestern Washington, which has operated since 1952.

The two areas have a lot in common. Both lie in the heavy rainfall belt, both ship in hay from east of the Cascades, and both produced more milk than they could sell in bottles—about the same percent more.

But that's where the similarities end. Puget Sound is now a surplus-burdened market and getting worse; the Canadians are tuning production to demand, as you can see in the table at left below.

This was no scientific test; other things like population trends, promotion and retail prices can affect milk consumption. But the trend is clear.

Since starting the quota plan, the Canadians have increased the percent of milk utilized for fluid to 54 percent this June; Puget Sound's percentage was the lowest in its history in June—37.4 percent. Canadian dairymen now get 40 cents per hundredweight more than Puget Sound dairymen for class I milk, 70 cents more for their blend price. But a higher percentage of the Canadian dairymen quit, probably because they could sell both cows and bases.

"Our class I quota plan did not guarantee life for the small producer," says J. D. Honeyman, a farmer-member of the threeman British Columbia Milk Board. "But overall, we feel it is hard to beat." He tells what it was like before the quota era: About 300 producers selling to high utilization dealers were getting 80 percent of their milk into the fluid market; the other 4,000 had to settle for only 40 percent.

"Now the market is stabilized, and everyone gets his fair share of class I sales, according to his quota," says Honeyman. Canadian dairymen say their quota plan has stopped the race to expand, which has plagued the Puget Sound market, and most Federal order markets.

Most of the Canadian dairymen now get more for their milk, but not all of them. "It hurt us a bit," says Jack Hougen, a 60-cow dairyman in British Columbia. The quota plan lowered his prices by $1 a can because he'd been on a 100 percent class I utilization market. "But small shippers are getting about $1 a can more now; it's been good for the area as a whole."

Now let's take a look at the Puget Sound market on the U.S. side of the line:

Puget Sound production has continued to climb, up again 3.3 percent in June 1965 over the previous June, while the amount of milk used for class I fluid dropped by 2 percent.

That spells trouble for dairymen, and those in the Puget Sound market know it. Yet they go on adding cows and feeding better to fight lower blend prices with that familiar weapon—more production. "This increased production has caused most of our problems," says Gordon Laughlin, of Consolidated Dairy Products, the marketing arm of United Dairymen's Association.

"A base quota would have kept down the size of our shippers, and the amount of class II milk," agrees dairyman Harold Knight, Whatcom County, Wash.

But not all producers blame the Federal order for all the surplus milk in the Puget Sound market. Some blame the co-op that has negotiated as much as a 74-cent premium over the Federal order price for class I milk.

The truth is probably somewhere in the middle. But the result, either way, has been to encourage more dairymen to retail their own milk to get more for it. There are now 43 such producer-handlers in the Puget Sound market, more than twice as many as in 1958. They sell 7 percent of all the fluid milk.

"We had to regulate the producer-handlers," says E. C. Carr, chairman of the British Columbia Milk Board. Laughlin, of Consolidated Dairy Products, in Seattle, explains why he thinks that is also necessary in Puget Sound.

"Every 100 pounds of milk the producer-handler sells is costing our producers 3 cents per hundredweight and that is increasing."

Producer-handler Floyd McKennon, Snohomish County, Wash., is currently leading the fight against co-op domination. He markets about all the milk from his 600-cow herd through his attractive drive-in Milk Barns in north Seattle.

McKennon argues that he doesn't add to the milk surplus because he restricts production to his fluid sales. He's fighting the class I base plan, sees it as a tool that would force him to double his herd in order to produce enough class I milk for his business.

Actually, the plan before Congress so far specifies no change in status for producer-handlers.

Milk bases will be worth gold if the new plan goes into effect. In Canada, a base has sold for as much as $23 a pound of daily quota. Current value is around $18. This means the base on a $300 cow that averages 50 pounds of milk a day would be worth nearly $1,000.

Of course, that purchased base lasts indefinitely—long after the cow is dead—so it's a good investment. But this cost cuts down on the income from your class I base if you have to buy it.

Speculators thrived on bases in British Columbia until last year when an order was passed forbidding a producer from transferring his quota unless he has been licensed (all producers are licensed) by the milk board for at least 5 consecutive years. Two exceptions: health reasons, or if he sells the whole herd.

The base plan, as it comes out of Washington, will not spell out much detail on operations. "Nuts and bolts" will be worked out in the individual Federal order markets. The base plan will:

1. Be restricted to Federal order markets, or grade B milk markets where a classified system of pricing is used. That's where grade B producers get one price for manufacturing milk used commercially, and a lower price for that going to the Government.

2. Require a two-thirds "yes" vote of all dairymen in a market to be adopted. No bloc voting, where a co-op could vote for all its members.

3. Give the Secretary of Agriculture approval or veto power over any class I base plan worked out in Federal order markets.

4. Allocate any increase in class I usage in a market first to new producers or "hardship cases." Any left over would go to established producers.

5. Allow a producer to underproduce without losing any base.

Will a class I base system affect the amount of outside milk shipped in? Under law, a Federal order cannot establish a barrier to outside milk. But producers in unregulated markets would probably have to acquire a base in order to enter a Federal order market.

How hard that would be would depend on how hard dairymen in a Federal order market made it, and you could hardly expect them to make it easy. The net result would probably be more milk barriers.

It will take a while to initiate the new class I base system. First, specific plans for each Federal order market must be developed. Then, as happened in Canada, it will probably spend time in the courts.

"Ours has been in and out of the courts for 4 years, but each time it was upheld," says E. C. Carr, milk board chairman in British Columbia.

Dairyman Kaye Andrus, in Connecticut, sums up the thinking of many U.S. dairymen:

"One bill can't solve it all, but I'm willing to try anything. It can't go on this way."

	British Columbia		Puget Sound	
	1961	1964	1961	1964
Blend price (4 percent butterfat)	$4.56	$4.60	$4.42	$4.26
Class I price	$5.96	$5.98	$5.69	$5.48
Percent milk used in class I	50.2	52.3	48.1	44.8
Total production (pounds)	479,000,000	480,000,000	1,100,000,000	1,300,000,000
Number of producers	2,119	1,692	3,236	2,728

Mr. LAUSCHE. Mr. President, how much time is left on the bill?

The PRESIDING OFFICER. Ninety-two minutes remain to the proponents, and 153 minutes remain to the opponents.

Mr. MILLER. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 5 of the Proxmire amendment, No. 438, it is proposed to strike out lines 13, 14, and 15, inclusive, as follows:

(vi) the provisions authorized under this subparagraph may be made applicable to a regulated handler's own production of milk.

It is proposed to renumber succeeding paragraphs accordingly.

Mr. MILLER. Mr. President, the amendment would strike from the Proxmire amendment the language on page 5 in lines 13 to 15, inclusive.

By doing so we would keep the law exactly as it is now. I assure Senators that I have discussed the amendment with representatives of many milk producer associations, those who are in this business, and some of whom favor the Proxmire amendment. There is absolutely no objection to the amendment by those people. They wish to leave the law exactly as it is now.

I suggest that that is the way it should be, because any action we take which might result in a different interpretation than presently exists would be premature.

Last year Congress established a National Food Marketing Commission. The purpose of the commission is to examine into all facets of food marketing, including dairying, production, and the various areas of the marketing of food products.

I know that problems exist in the dairy industry with respect to producers and handlers. Let us allow the Food Marketing Commission to make its findings and determinations and submit its recommendations. Not until then will we be in a position, intelligently, to evaluate what should be done.

I believe that the language of the amendment of the Senator from Wisconsin should not be in the bill. I hope he will consider removing it.

Mr. PROXMIRE. Mr. President, I object to the amendment of the Senator from Iowa. I do so because we tried hard in 1963 and have tried hard this year to frame language that would conform with the present practice of the Department of Agriculture. Only this afternoon, my staff spoke with representatives of the Department of Agriculture. They said the Secretary of Agriculture can now include producer-handlers under marketing orders. This is just what the language on page 5, lines 13 through 15 does. It reads:

The provisions authorized under this subparagraph may be made applicable to a regulated handler's own production of milk.

I feel strongly that this language should be in the bill because, as was brought out in the colloquy with the Senator from Vermont, we are anxious to prevent any integrated type of dairy farming from developing on a big scale. We have a real fear that without a continuation of this kind of policy in the Department of Agriculture, it is possible that big chainstores and other marketers may get into this field, to the great detriment of the family farm, and have a serious, unfortunate effect on family farming as we know it today.

Mr. PROXMIRE. I yield to the Senator from Minnesota.

Mr. MONDALE. Mr. President, I wholeheartedly endorse the viewpoint of the senior Senator from Wisconsin. The provision contained in the Senator's class I proposal incorporates existing law. In the Ideal Farms case, in the third circuit, it was held that existing Federal milk marketing order statutes authorized the regulation of so-called producer-handlers. It is hard to see how the order system could work if the Department could not regulate the marketing of a producer's own milk.

The committee did not consider in the hearings the proposal of the Senator from Iowa, although he proposed it at one point, because we did not reach the juncture where extended hearings could be held on the meaning of his amendment. But it seems to me that the Senator from Wisconsin is correct. The whole theory behind the Federal milk marketing order system is that through administrative action it is possible to increase the return that can be paid to the farmer.

If certain groups are exempt from the order system, it means that they will have a lower cost for milk produced than their competitors under the order system. That amendment would exempt the large companies, namely, those that are big enough to be producers and handlers, and who own the whole chain from owning the herd to the distribution to the consumer. We can take judicial notice that most farmers, are not large enough operators to own their own handling systems. Thus one can envision situations such as this: A large grocery chain in a major community may decide that it wants to be a producer and a handler. It establishes its own dairy herd, and because it is not regulated, it could, if the Miller amendment were adopted, sell its milk at a much lower cost than for handlers regulated under the marketing order.

So it seems to me, without hearings on the proposal, that the amendment of the Senator from Iowa would lead to integrated farming and, in my opinion, would endanger the whole marketing order structure. I believe that it is not only contrary to existing law, but might also result in a host of dangers that would be difficult to deal with.

Mr. MILLER. Mr. President, I yield myself as much time as I need.

I cannot quite follow the logic of the Senator from Minnesota. The Senator from Wisconsin [Mr. PROXMIRE] says that this part of the bill reflects the present state of the law. If it reflects the present state of the law, why is it necessary to have the amendment in the bill?

Mr. MONDALE. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. I yield.

Mr. MONDALE. As I understand, it is the view of the Senator from Iowa that the present law exempts producer-handlers.

Mr. MILLER. No, I have not said anything to that effect at all.

Mr. MONDALE. Is it the Senator's view that present law is such that the producer-handler is regulated?

Mr. MILLER. It is my understanding that the Secretary of Agriculture has interpreted the present law as the Senator from Wisconsin stated it to be interpreted. If that is so, I cannot follow the Senator from Minnesota, when he says that to take this language out will make a difference in what we have right now.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. MONDALE. Does the amendment of the Senator from Iowa seek to exempt producer-handlers from the order system regulation?

Mr. MILLER. No. It seeks to leave the law exactly as it is now, as I think it should be, until the Food Marketing Commission submits its recommendations.

So long as the Senator from Minnesota has raised this point, let me make this statement: The language of the amendment of the Senator from Wisconsin reads:

> The provisions authorized under this subparagraph may be made applicable to a regulated handler's own production of milk.

What about a regulated handler who is not using his own production of milk but is using someone else's production to make up a deficiency? What would the Senator propose to do in a situation like that? To answer that question, one would probably have to go through the briefs of a good many cases. That is what happens when language like this is placed in a bill in an attempt to play around with existing law. I suggest it is premature and unnecessary to have such a provision. I do not know why the Senator from Wisconsin persists in retaining it.

Mr. PROXMIRE. I understand the Senator's point. I believe a strong argument could be made that the law already specifies what is contained on page 5 of my amendment, lines 13 through 15. If that is so, why take it out? Why change it?

Furthermore, I agree with the policy of the Secretary of Agriculture. I believe it is right. I believe in the family farm. I have seen what has happened to the family farm in the broiler industry. I do not want to see it happen to the dairy industry. I think it is important to the family farm that this language should remain.

Mr. MILLER. If this language is left in the bill, we shall not quite be doing what the present law requires, because we shall have written into the bill:

> The provisions authorized under this subparagraph may be made applicable to a regulated handler's own production of milk.

What shall we do about a regulated handler who handles not only his own production, but somebody else's, as well? We shall automatically have opened the bill up to something new.

Mr. PROXMIRE. If he is handling someone else's production, that is perfectly all right. He is not a producer-handler to that extent. So long as he is not handling his own, there is an arm's length situation in which he is dealing with a farmer-producer, and I do not believe that that situation should necessarily be covered.

Mr. MILLER. Perhaps it should not be, but this is by no means clear in the present state of the law. I am advised on good authority that a person who is a producer-handler uses his own production; but if, suddenly, he runs short during a certain period and goes out and buys production which is not his own production, in order to make up a deficiency, the area becomes a fuzzy one.

This is not clear. By putting this language in the bill, the Senator has automatically laid a foundation for more difficulty on this very point.

I believe that the amendment and the reasons for the amendment have been adequately explained. I do not wish to take any more of the time of the Senate. If the Senator from Wisconsin is ready to yield back the remainder of his time, I am ready to yield back the remainder of my time.

Mr. PROXMIRE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa to the amendment of the Senator from Wisconsin [Mr. PROXMIRE].

The amendment to the amendment was rejected.

Mr. MILLER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 2, line 2, to insert the following: before the word "providing": "in any marketing area in which, during a representative period determined by the Secretary of Agriculture, the highest use classification sales of milk for the area covered by such order, or proposed order, was or, in the case of new or merged areas, would have been less than 50 per centum of the total producer deliveries of milk in such area,".

Mr. MILLER. Mr. President, the reason for my amendment is to restrict coverage to those few areas which I think probably all of us would agree are in a serious situation so far as overproduction of milk is concerned, by limiting, as my amendment would do, the application of the Proxmire amendment to areas which use less than 50 percent of their milk for class I milk.

It would mean that the Proxmire amendment would apply to the New York-New Jersey marketing area, in which area 49 percent of the milk is marketed as class I milk. In the Chicago area, 39 percent of their milk is marketed as class I milk. In the Puget Sound area, 45 percent of their milk is marketed as class I milk.

I do not believe any of us know how this proposal would work. It may work and it may not. If it does not work, I believe that the fewer areas where it might not work that we provide for, the better.

If it does work out and it can be shown that it will work out, I am quite satisfied that the Senator from Wisconsin will have no difficulty in presenting the Senate with the results of how it has worked out.

This can be extended to other areas. Perhaps it should not be only 50 percent. Perhaps it ought to be 55 or 60 percent. However, it seems to me that it would be reasonable to take cognizance of the three areas which are in the most serious difficulty.

I know that the Senator from Wisconsin can say, "Why worry about it? It will not go into effect in any marketing area unless they vote 2 to 1 to put it in." I am not sure that is the complete answer. I am not sure that I want to vote to allow a vote of 2 to 1 to put it into effect in some areas in which there is no difficulty.

I would rather walk before I run. We are dealing with a very important area of food commodities.

I believe that by limiting it, as my amendment would do, it would give the program a fair chance to work in areas in which there is a serious problem. If it works there, we can vote to extend it.

Mr. PROXMIRE. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 1 minute.

Mr. PROXMIRE. Mr. President, I object to this amendment. It would mean that my amendment would apply to four States, according to the statement of the distinguished Senator from Iowa. The other 46 States would be out of it. I submit that it is not fair. It does not make sense. It seems to me that in any State in which two out of three farmers want this provision, it should apply. My amendment would provide that, without this Miller amendment.

Mr. MILLER. Mr. President, I say to my friend the Senator from Wisconsin that he is dead wrong when he says it would apply in three or four States. It would apply in all 50 States, as his amendment would apply in all 50 States, if the conditions arise.

The Senator in his colloquy with the Senator from Vermont said that his amendment would apply to 50 States. I believe it was pointed out that only 17 States are covered by marketing orders. I grant that there may be only three or four States in which there is such an amount of overproduction of milk that less than 50 percent is marketed as class I milk. However, that does not mean that my amendment would not apply in some other State—New Mexico, Mississippi, Florida, or any of the 50 States—if those conditions arise.

I should like to make it clear that my amendment is as applicable to the 50 States of the United States as is the amendment of the Senator from Wisconsin.

Mr. PROXMIRE. I yield 1 minute to the Senator from New York.

Mr. KENNEDY of New York. Mr. President, I am going to vote for the amendment offered by the Senator from Wisconsin [Mr. PROXMIRE], but I want to make clear the basis on which I am doing so.

The base-excess idea for the dairy industry is not at all new. It has been advanced for some years and has always been the subject of great debate within the dairy industry and among dairy economists. Even today there are almost as many different opinions about it as there are experts on dairy matters. If the Proxmire amendment and the somewhat different version which the House included in H.R. 9811 directly legislated the two-price plan into existence, I would have considerable doubts about supporting it. I would hesitate to support any plan which is widely doubted in the industry that it is designed to help, the industry which knows most about it.

However, both the Proxmire amendment and the House version contemplate that a referendum will be taken among the farmers. If the farmers in a particular milkshed feel that the plan will be beneficial to them, they can vote for it and put it into effect. If not, they can vote it down and that will be the end of the matter.

There is considerable support for the plan among dairy farmers around the country. It would be unfair to deny them the chance to vote on it. In my judgment, then, basic fairness suggests that we should authorize a referendum on the two-price experiment. It is on that basis that I am voting for the Proxmire amendment.

There are certain differences between the version offered by the Senator from Wisconsin and the version passed by the House. The guarantee of free access to markets which is contained in the Proxmire version appears to be more desirable for the dairy industry in the Northeastern States. The provisions in the House bill protecting producer-handlers seem to be more desirable than the comparable aspects of the Proxmire version. These matters will have to be worked out in conference. At the present, I support the Proxmire amendment so that we can give Senate conferees a mandate to include a dairy provision in the bill as it finally emerges from conference.

I realize that there is opposition to this plan, even within my own State, but there is also great support for it, and I think it is only fair that the farmers be allowed to vote on this matter themselves.

That is why I support Senator PROXMIRE'S amendment.

Mr. PROXMIRE. Mr. President, I yield back the remainder of my time.

Mr. MILLER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa [Mr. MILLER].

The amendment was rejected.

Mr. MANSFIELD. Mr. President, I yield 5 minutes on the bill to the senior Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, in October 1963, when this question was first considered, I voted against the Proxmire plan. I intend to vote against it again today. My reasons today have been very well stated by the Senator from Vermont [Mr. AIKEN]. As a Senator from New York, the second largest producer of class I fluid milk in the country, I have had a special concern and deep interest in the provisions of this amendment. Along with almost all other Senators on both sides of the aisle from the Northeastern portion of the country I voted against this proposal in the form of S. 1915 on October 10, 1963. The amendment would establish a class I base for each dairy producer in a Federal order market and would enable the producer to receive a higher price for milk consumed in fluid form on a specified quantity of his production in lieu of a blended price on total production used for fluid consumption and for manufacturing into butter, cheese, powdered milk and other milk products. Excess production would be priced at a lower price to encourage reduced production.

The dairy farmers in my State are very much divided with respect to this proposal. Of the four largest organizations, two favor the base excess plan proposal and two strongly oppose it. There appears to be equally marked lack of consensus behind the bill nationally. The administration expressly did not include any diary plan in its farm message this year and has not enthusiastically supported any proposal. On April 5, 1965, Clarence Girard, Deputy Administrator, Regulatory Programs, Consumer and Marketing Service of the Department of Agriculture, testified before the Subcommittee on Dairy and Poultry of the House Agriculture Committee that—

> There is substantial disagreement within the dairy industry itself as to what sort of legislation they would support * * * and we have not been able to get general substantial agreement among the industry representatives on any particular proposed legislation.

Mr. Girard also testified:

> We believe this improvement in income position of some fluid milk producers can be achieved without adversely affecting the income of other dairy farmers.

He stated that favorable action on a base excess proposal such as S. 1915 "would represent a small step toward an improved dairy program." This is hardly the type of support that one would hope for a major agricultural program costing the Federal Government approximately $360 million per year. In 1963 Under Secretary of Agriculture Murphy testified before the Senate committee that the base excess proposal, without the assistance of a direct payment plan, would be of little help to dairymen.

I am most sympathetic over the serious need for improving the income of our dairymen. With sustained drought conditions and prolonged burdens of increased production costs, the dairyman in the Northeast has sustained a heavy burden. I have tried to ease this burden by working to obtain feed grains at reduced prices from the Department of Agriculture and haying and grazing privileges on land taken out of production. I have worked to obtain the Department's consideration of emergency price adjustments for hard pressed areas. The Department of Agriculture has provided important aid in many of these areas. However, I do not believe it is in the best interest of our dairymen or the consumer to impose tight production quotas on them. The curtailment of productive incentive for a sustained period will not in my judgment provide the best method of improving dairy income. The imposition of production quotas based on periods of past production places regulation on the producers which may prove very disadvantageous. With each marketing order being voted on, by bloc vote rather than individual voting, it is possible that certain parts of the country will be regulated by tight production quotas while other areas will not.

It is also possible that under the referendums provisions which do not permit voting by the individual membership that production quotas may be set by one group in approving an order and imposed upon another in the minority. The imposition of a production limitation upon one dairyman by his fellow dairyman is a situation raising many questions as desirability.

The Senate Agriculture Committee by an overwhelming vote chose to eliminate the base excess plan from the farm bill. This decision reflects the views of a very substantial number of dairymen in the Northeast. Senators from the Northeast area reflected this attitude in October 1963 when the base excess plan was acted upon by the Senate. I believe they will reflect this view again today.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Wisconsin to the committee amendment in the nature of a substitute. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN (when his name was called). On this vote I have a pair with the Senator from Massachusetts [Mr. SALTONSTALL]. If he were present and voting he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. INOUYE. I announce that the Senator from West Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. LONG], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], the Senator from Georgia [Mr. RUSSELL], the Senator from Georgia [Mr. TALMADGE], and the Senator from Maine [Mr. MUSKIE] are absent on official business.

I further announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota [Mr. MCCARTHY], and the Senator from Virginia [Mr. ROBERTSON] are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia [Mr. BYRD], and the Senator from

Connecticut [Mr. RIBICOFF] would each vote "yea."

On this vote, the Senator from Louisiana [Mr. LONG] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Louisiana would vote "nay," and the Senator from Virginia would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Pennsylvania [Mr. SCOTT] is absent on official business.

The Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Texas [Mr. TOWER] are detained on official business.

If present and voting, the Senator from Utah [Mr. BENNETT] and the Senator from Texas [Mr. TOWER] would each vote "yea."

The pair of the Senator from Massachusetts [Mr. SALTONSTALL] has been previously announced.

The result was announced—yeas 57, nays 27, as follows:

[No. 255 Leg.]

YEAS—57

Bartlett	Hart	Montoya
Bass	Hartke	Morse
Bayh	Hayden	Morton
Bible	Hill	Moss
Brewster	Hruska	Mundt
Burdick	Inouye	Nelson
Cannon	Jackson	Neuberger
Carlson	Jordan, N.C.	Pearson
Church	Jordan, Idaho	Proxmire
Clark	Kennedy, N.Y.	Russell, S.C.
Cooper	Long, Mo.	Simpson
Curtis	Magnuson	Sparkman
Douglas	McClellan	Stennis
Ervin	McGee	Symington
Fannin	McGovern	Thurmond
Fulbright	McNamara	Tydings
Gore	Metcalf	Williams, N.J.
Gruening	Mondale	Yarborough
Harris	Monroney	Young, Ohio

NAYS—27

Aiken	Fong	Miller
Allott	Hickenlooper	Murphy
Boggs	Holland	Pastore
Byrd, Va.	Javits	Pell
Case	Kennedy, Mass.	Prouty
Cotton	Kuchel	Randolph
Dodd	Lausche	Smith
Dominick	Mansfield	Williams, Del.
Ellender	McIntyre	Young, N. Dak.

NOT VOTING—16

Anderson	McCarthy	Scott
Bennett	Muskie	Smathers
Byrd, W. Va.	Ribicoff	Talmadge
Dirksen	Robertson	Tower
Eastland	Russell, Ga.	
Long, La.	Saltonstall	

So Mr. PROXMIRE's amendment to the committee amendment in the nature of a substitute was agreed to.

Mr. MAGNUSON. Mr. President, I move that the vote by which the amendment to the amendment was agreed to be reconsidered.

Mr. PROXMIRE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The Senator from Illinois is recognized.

Who yields time?

Mr. DIRKSEN. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 2 minutes.

Mr. AIKEN. Mr. President——

Mr. DIRKSEN. Mr. President, I should like to ask the majority leader about the business for the remainder of the day and also the schedule for tomorrow.

Mr. MANSFIELD. Mr. President, in response to the question which has been raised, it is my understanding that the distinguished Senator from Maryland [Mr. BREWSTER] is about to call up his amendment which has to do with the payment of subsidies on the basis of a $10,000 income and that I understand it all depends upon who obtains recognition. This will be followed by an amendment to be offered by the Senator from South Dakota [Mr. MUNDT], and in turn perhaps an amendment by the Senator from Vermont.

Mr. President, the Senator from New York [Mr. JAVITS] also has an amendment.

Mr. President, perhaps there will be other amendments. All this will be for tomorrow, not tonight. There will be no further votes on amendments because of a number of conditions with which Senators are confronted.

It is understood, of course, that the unanimous-consent agreement is still in effect, and that immediately upon conclusion of the prayer, debate will begin on a time limitation basis on the amendment to be offered by the Senator from Maryland [Mr. BREWSTER].

That is about it.

Mr. DIRKSEN. Mr. President, one other question. Assuming that we finish the bill tomorrow, is it still the intention of the majority leader to call up the so-called highway beautification bill, or bills?

Mr. MANSFIELD. Either that, or the immigration bill, whichever is ready, but those will be the next two bills to be considered. Of course, in the meantime, there will be conference reports and other matters to attend to.

Mr. DIRKSEN. But there will be no further votes tonight?

Mr. MANSFIELD. There will be no further voting tonight.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE THIEF HAS A KEY TO YOUR CAR

Mr. KUCHEL. Mr. President, law enforcement officials in California and across the country have recently become alarmed about the indiscriminate, unregulated traffic in master keys. At least six companies in the United States advertise that for sums ranging from $3 to $20, sets of keys may be ordered by mail which will unlock automobiles of any domestic make. On March 25, 1965, the Chicago's American reported the apprehension of an auto thief carrying 17 master keys which would open almost any Ford car. Police concluded that the thief had obtained the keys from a mail order supplier. The Los Angeles Police Department reports that nine recent bank robberies in the Los Angeles area were accomplished by a bandit who used General Motors master keys to steal his getaway car. The National Automobile Theft Bureau has information that the operator of one of the six principal master key suppliers has a past record of auto theft.

Police Chief Thomas Cahill, of San Francisco Police Department, has called the master keys "the answer to an auto thief's dream." Chief Cahill also reports that nearly one-third of the cases of residential burglaries were by the use of a key or device which readily opened the lock without a resort to force. New York City License Commissioner Joseph C. DiCarlo has noted this problem and has said that mail order firms are sending master keys for cars to anyone with the money to pay for them, including thieves and addicts.

In an editorial on July 25, 1965, the San Francisco Examiner expressed shock that criminals should have such easy and inexpensive access to master keys. The editorial remarked that "disturbed citizens may well wonder why locksmiths and keymakers are not regulated and licensed, and required to register both keys and buyers."

The report to the 1965 General Session of the California Legislature from the Assembly Interim Committee on Governmental Efficiency and Economy stated:

> At present locksmiths may obtain lock picks by mail. No official records are kept of keys made, and no identifying number is required on keys, to help in crime detection.

I am happy to say that the California Legislature has not been unmindful of this problem. A very able assemblyman, the Honorable Richard J. Donovan, of the 77th Assembly District introduced in the last session a bill which would deal with this matter effectively. The Donovan bill sought to establish a licensing scheme for locksmiths and provided that master keys would be sold to or duplicated by licensed locksmiths only. It required that keys manufactured or duplicated would bear a number which identified the manufacturing locksmith. It also required that the locksmith maintain a record of persons to whom keys are delivered.

I have given very careful consideration to the possibility of a Federal licensing system for master key manufacturers and dealers. In view of the severity of such a proposal, I am introducing instead a companion bill to one introduced in the House of Representatives by Congressman LIONEL VAN DEERLIN, of San Diego, who has given much thought as has Assemblyman Don-

ovan to this matter. This proposal provides that no master key shall be shipped in interstate commerce to a person prohibited by State law from receiving or possessing master keys. The bill will prevent State licensing laws, such as the one now under consideration in California, from being circumvented by interstate traffic in master keys. Not only will this proposal put teeth in State regulations, but it will encourage those States which do not now regulate the sale of master keys to consider establishing controls. I am today sending to my friend, the distinguished Senator from Connecticut [Mr. DODD], chairman of the Subcommittee on Juvenile Delinquency of the Senate Committee on the Judiciary, a letter requesting that hearings be held on this bill at an early date.

A reasonable regulation of master keys will safeguard the legitimate uses to which they may be put. Master keys are indispensable to automobile dealers, locksmiths, and police agencies. By correcting the abuses which now exist we will at the same time insure that the legitimate interests are protected. I do hope that this bill will receive the careful attention it deserves.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the San Francisco Examiner on July 25, 1965. It is appropriately titled "The Thief Has a Key to Your Car." I also ask unanimous consent that the bill as introduced be printed at this point in the RECORD and referred to the Committee on the Judiciary.

The PRESIDING OFFICER. The bill will be received, and, without objection, the bill will be referred to the Committee on the Judiciary, and the bill and editorial will be printed in the RECORD.

The bill (S. 2524) to prohibit the transportation or shipment in interstate commerce of master keys to persons prohibited by State law from receiving or possessing them, introduced by Mr. KUCHEL, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

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

(1) The term "interstate or foreign commerce" means commerce—

(A) between any State, the Commonwealth of Puerto Rico, any territory or possession, or the District of Columbia and any place outside thereof;

(B) between points within the Commonwealth of Puerto Rico or within the same State, but through any place outside thereof; or

(C) within or between points within the District of Columbia or any territory or possession.

(2) The term "master key" means a key which will operate all the locks in a given group of locks each of which can be operated by a key which will not operate one or more of the other locks in such group.

SEC. 2. (a) It shall be unlawful for any person to sell, offer for sale, transport, or ship a master key in interstate or foreign commerce, knowing that such key is a master key, if, upon the delivery of such shipment or the conclusion of such sale or transportation, the key will be received or possessed by any person prohibited by the law of the jurisdiction within which such receipt or possession occurs from receiving or possessing master keys.

(b) Any person who violates any prohibition contained in subsection (a) of this section shall be fined not more than $5,000 or imprisoned not more than one year or both.

The editorial presented by Mr. KUCHEL is as follows:

THE THIEF HAS A KEY TO YOUR CAR

Severe shock is the response of car owners, and homeowners too, to disclosure in the Examiner of the easy and inexpensive access criminals have to master keys that make any lock an open invitation to dishonest entry.

For a total expenditure of $11 the criminal can equip himself with keys unlocking almost any car of American manufacture. At still less cost he can have the key to any home in the country, and to any door.

The purchase and sale of such keys involve no broken laws. Similarly, the reproduction of keys may be accomplished cheaply and legally in numerous shops.

Disturbed citizens may well wonder why locksmiths and key makers are not regulated and licensed, and required to register both keys and buyers; as in the case of small arms dealers. They should be; but with full awareness that there would be only partial answer at best to the problem in this. Criminals subvert most laws; are mainly deterred by law, not circumvented.

We have laws penalizing owners for leaving keys in cars on the street—useful in keeping juveniles out of temptation's way. But these laws are useless against the professional thief who can open a car as easily as its owner. It is preposterous that $3 can buy the key giving a criminal possession of an automobile for which the owner has paid thousands of dollars.

Final responsibility here rests on car makers, not key makers. Automobile manufacturers every year, probably daily, solve greater problems than the development of a lock that only the owner can manipulate. A numbers combination might be the answer. If there are better answers it is the business of the industry to come up with them.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of 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.

AMENDMENT NO. 446

Mr. AIKEN. Mr. President, I have an amendment which I send to the desk on behalf of myself and the Senator from Delaware [Mr. WILLIAMS], and ask to have it printed.

The PRESIDING OFFICER. Without objection, the amendment will be received and printed, and will lie on the table.

AMENDMENT OF TITLE V OF THE INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 684, Senate bill 1826.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1826) to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with amendments, on page 1, after line 9, to strike out:

(2) by striking out the last sentence thereof.

On page 2, after line 6, to insert a new section, as follows:

SEC. 3. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by adding a new sentence at the end thereof as follows: "A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered, only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

At the beginning of line 17, to change the section number from "3" to "4"; and, at the beginning of line 22, to change the section number from "4" to "5"; 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 section 501 of the International Claims Settlement Act of 1949 (22 U.S.C. 1643) is amended—

(1) by striking out "which have arisen out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or"; and

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

SEC. 3. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by adding a new sentence at the end thereof as follows: "A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered, only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

SEC. 4. Section 506 of such Act (22 U.S.C. 1643e) is amended by striking out ": *Provided,* That the deduction of such amounts shall not be construed as divesting the United States of any rights against the Government of Cuba for the amounts so deducted".

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

"Appropriations

"SEC. 511. There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to pay its administrative expenses incurred in carrying out its functions under this title."

Mr. SPARKMAN. Mr. President——

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SPARKMAN. Mr. President, I should like to yield to the Senator from Maryland [Mr. BREWSTER], provided that in doing so I shall not lose my right to the floor.

Mr. BREWSTER. Mr. President, I thank the Senator from Alabama. Mr. President, I wish to call up my amendment No. 441 and ask that it be stated.

The PRESIDING OFFICER. The Senator will suspend.

The Senate will please be in order. There is a bill pending under the unanimous-consent agreement. Will the Senator withhold his request temporarily?

Mr. BREWSTER. I certainly shall.

Mr. SPARKMAN. Mr. President, if I may proceed, I do not believe that it will take more than a moment to dispose of the pending bill.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment.

The first committee amendment was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 684, S. 1826, be withdrawn at this time.

The PRESIDING OFFICER. The question is on agreeing to the second committee amendment.

The second committee amendment was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending bill be temporarily set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed consideration of 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.

AMENDMENT NO. 447

Mr. SPARKMAN. Mr. President, I submit an amendment for printing and ask that it lie on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 441

Mr. BREWSTER. Mr. President, I now call up my amendment No. 441 and ask that it be laid down and be the first order of business tomorrow morning, in accordance with the agreement entered into.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. At the end of the bill add a new section as follows:

SEC. 707. Notwithstanding any other provision of law, no producer shall be eligible for price-support loans or payments under any program or programs administered by the Department of Agriculture in any amount in excess of $10,000 for any one year. The foregoing dollar limitation shall include the fair dollar value (as determined by the Secretary of Agriculture) of any payment in kind made to a producer.

Mr. BREWSTER. Mr. President, have I the floor?

Mr. MANSFIELD. Yes.

Mr. BREWSTER. At this point, I yield to the Senator from Connecticut.

Mr. DODD. Mr. President, I thank my friend the Senator from Maryland for yielding to me.

Mr. President, last week I submitted an amendment to the bill to strike the so-called Mondale amendment and substitute in place a proposal of the joint select committee. I understand that the Mondale amendment has been withdrawn. Mr. President, I therefore indefinitely postpone my amendment.

Mr. President, tomorrow, I shall submit a concurrent resolution to cover this subject.

ADDITIONAL COSPONSORS

Mr. LAUSCHE and Mr. METCALF addressed the Chair.

Mr. MOSS. Mr. President, will the Senator from Maryland yield to me?

Mr. BREWSTER. I yield to the Senator from Utah.

Mr. MOSS. Mr. President, I ask unanimous consent that on further printing of Senate Concurrent Resolution 55, the names of the Senator from Kentucky [Mr. COOPER], the Senator from Indiana [Mr. HARTKE], and the Senator from New York [Mr. KENNEDY] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BREWSTER. Mr. President, I yield the floor.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of 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. METCALF. Mr. President, will the Senator from Montana yield to me?

Mr. LAUSCHE. Mr. President, who has the floor?

Mr. MANSFIELD. Mr. President, if the Senator from Ohio will allow me, my colleague [Mr. METCALF] came to me some time ago. He wishes to make some brief remarks on the pending amendment at this time, if he may.

Mr. LAUSCHE. Mr. President, it will take me only one moment.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I had prepared an excellent speech giving many reasons why I shall vote against the farm bill, but I have lost the speech. If someone on the floor of the Senate finds a document replete with good thinking, he will know it is mine, and I ask him to return it.

Mr. MANSFIELD. Mr. President, I now yield to the Senator from Montana [Mr. METCALF]. In the meantime, if members of the staff find a document that has been lost, we will see that it is returned to the Senator from Ohio.

I ask unanimous consent that the Senator from Montana [Mr. METCALF] be recognized without the time being charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, each time an agricultural bill comes up for debate, the fundamental purpose of our national policy on agriculture must be clarified again.

Even in the Senate of the United States we find evidence of misunderstanding of a very simple policy.

Such is the case today. The Senator from Maryland has proposed an amendment to the farm bill which would strike at the very heart of our farm policy, and it is based upon a misconception of what our policy is.

Our agriculture is great, not only because of vast resources and the hard work and intelligence of our farm people but also because our national policy has made it great. From the very beginning of our Nation, our policy has been to keep the land and the tools of farm production in the hands of the people who till the soil. Our early leaders turned their backs upon the old-world system of landed aristocracy and subservient peasants. In much of the world then—and it is true even today—farmers had no chance to own the land.

The Founding Fathers recognized—and I hope we have not forgotten—that civilization rests upon agriculture. No nation can have industry or the arts or great institutions until many people have been freed from the necessity of hunting or cultivating the soil.

So from the beginning, we have used public funds to help create the kind of agriculture we wanted. As early as 1796 George Washington recommended to Congress the use of public funds to aid agriculture and the establishment of boards to collect and diffuse agricultural information. We were not providing relief to individuals. We were building the kind of agriculture we wanted—one that was destined to become fabulously productive; one of the wonders of the world.

Over the years, the Government sent out plant explorers to bring back new crops; distributed seeds; established a Department of Agriculture; passed a Homestead Act providing gifts of land to farmers; gave land from the public domain to support agricultural education; created agricultural experiment stations and agricultural extension work to foster scientific and profitable agriculture and better living on the land.

In 1916 came the Federal Farm Loan Act initiating national farm credit policy and authorizing Federal land banks. Since then have come Federal support for vocational agriculture teaching, measures for conservation of forests, soil and water, protection of farmers and consumers against unscrupulous trade practices, protection against diseases and pests of plants and animals.

After World War I, we fought farm depression through export subsidy, cooperative marketing and the Federal Farm Board.

Later came the New Deal with new devices to curb surpluses and maintain a healthy agriculture.

Through the years, we have recognized that the kind of agriculture we want—one that is highly productive and with the farms owned and operated by farmers—this kind of agriculture has certain built-in problems. For example, farmers without Government programs cannot keep production in line with demand. They cannot do their own research. The conservation job is too big for them to handle without help. And, worst of all, a depressed agriculture is costly to the entire economy.

Now, we have recognized that agriculture has within itself the same kind of relief problems that are common to other segments of our Nation. And we have tried to deal with them as relief problems through relief measures.

But the key point to remember is this: Our basic agricultural policy is not a relief policy. It is not aimed at the plight of individuals as such, although it helps individuals by strengthening the markets in which they sell—by strengthening the economy of which they are individual parts. No. Our policy deals with agriculture as a whole. Our commodity programs deal with supply, demand, price, and income of entire crops.

The wheat program offers price-support loans. These are aimed at keeping market prices above a specified level and therefore are available to all who produce wheat. They do provide some direct help to the man who needs capital at the moment, but that is not their real purpose. They are also available to the producer who is not short of capital because the loans encourage him to keep his wheat off the market unless he can sell it for a price above the support level.

The wheat program also offers payments. But the primary purpose of the payment is not to supplement income. The purpose is to induce the producer to hold down his acreage and production of wheat. He gives up production and income in order to cooperate in the surplus-reduction program. The payment encourages him to do it.

It is perfectly true that large producers get bigger loans and bigger payments than do small producers. It is often argued that this works against our fundamental policy—that of keeping our agriculture in the hands of the people who actually till the soil.

The answer is that there is a greater danger. The greater danger is that farm commodity prices will go too low and that only those institutions which have great resources of capital can withstand a long period of loss. This forces the actual farmers off the land and puts it into the hands of giant financial collectives. So the great danger is that the economy will go sour and that ordinary farmers canot live in it.

This means we must safeguard the entire farm economy, commodity by commodity. This means we must apply our national policy to the large producers as well as the small. In a sense, we must be even more sure that the large producers are able to take part in commodity programs because they have a greater effect on the total supply and price of the commodity.

If it ever becomes necessary to limit the size of farms or to limit the total holdings of a corporation or other collective, we can do so through appropriate means. But we do not have to do so now. We must not do so by wrecking the programs which maintain the strength of the farm economy.

Make no mistake about it—if you keep the commercial family farms and the farms of even larger size out of the commodity programs, you will kill the programs. In the absence of the programs, you will see a drop in farm income—according to competent authorities—of approximately 50 percent. This would mean a total failure of our agriculture.

This is the issue with which we are dealing here today.

So much for the background. Now let me deal in greater detail with certain points of misunderstanding. The first point I wish to emphasize is that in commodity programs designed to affect the entire supply and price of a commodity—the entire economy of that commodity—payments are not welfare.

Payments are not welfare. They are a part of the stabilizing mechanism to protect overall farm income in the interests of the national welfare. In instances where they are used, they are the least costly method of achieving this objective.

They assist in conserving and protecting millions of acres of the Nation's soil resources whether it is 2 acres protected on a 25-acre farm or 1,000 acres on a 10,000-acre farm.

Payments are not handouts. Payments are made to farmers who take land out of production. In taking the land out, they sacrifice the production on this land.

Price support loans are made on a quantity of a commodity. The commodity has value in the marketplace. Farmers put up their commodity as collateral for a loan. The loans do not constitute either payments or losses in themselves. If the Government acquires the commodity, it is later sold or used in the food-for-peace program and in domestic donation programs.

Payments are not profit. A farmer does not get his regular income plus payments. Payments are in lieu of income he would have received from raising crops on acreage held out of production or selling the commodities put under loan.

For example, 4 farms received about $340,000 under the 1964 wheat program. For this, they kept 21,395 acres out of production. Under normal circumstances, this acreage would have produced 546,000 bushels with a return of more than twice the payments received. If this quantity had been produced, it would have been added to CCC stocks but was not because of the participation of these large farmers.

Payments reflect the degree of program participation. As acreage contributions under the program go up, payments go up. No useful purpose would be served in forcing the larger farmers out—this certainly would result from a payment limitation.

The objective under the cotton, wheat and feed grain programs is to get sufficient acreage out of production to prevent surpluses which would result in more extensive Government commodity operations at increased cost. Excluding the large acreages from participation would simply require larger payments to the smaller farmers—many of whom are too small already—in order to achieve the acreage objectives needed to balance production with needs.

The purpose of the commodity loan operation is to stabilize market prices by promoting orderly marketing of commodities. If supplies are in excess of needs, the loan operation by its very nature will embrace the quantity needed to be withheld from the market in order that market prices will go to the loan level. The excess amount will go under loan whether from large farms or smaller farms. Denying the loan program to farmers of large acreages would not change the supply situation. It would require thousands of more loans to be made to smaller farmers in order to draw off the excess.

The across-the-board application of farm programs is the only sensible approach. Preventing this would have the opposite effect desired by the proponents. If large operators could not participate in acreage diversion programs, total production would be increased. Even worse, payments would probably go up to get the acreage diversions needed from the smaller farms. Either way, higher acreage payments or greater surpluses, spells increased Government costs.

If the large operators could not qualify for price-support loans, their production would go on the market putting downward pressure on market prices and farm income. Small operators would suffer from the lower prices.

The price-support loan and acreage-diversion payment programs are not putting the family farm out of business. The number of larger-than-family farms is not growing under existing farm programs. Fifteen years ago, there were 17 family farms for each larger-than-family farm. Today, there are 26 family farms for every larger-than-family farm. These programs have not encouraged expansion of large farming at the expense of the family farmer.

In general, the farm programs are aimed in part at achieving some kind of reasonable balance between what

farmers produce and what can be used—either by ourselves or through the export and food for peace programs which have been substantially increased. We have done a great deal to bring balance into our grain economy—and by indirection into our livestock economy. We hope—through programs recently enacted and now before the Congress—to achieve similar results in cotton and tobacco.

But the point is that unless the larger producers are brought into the programs, their production—being large—will overpower the whole effort to achieve balance. The programs would therefore be defeated in their purpose, and small growers as well as large would suffer the consequences of such an ill-fated expedition. It would be impossible to maintain decent market prices for any size farmer without the Government taking over the whole excess at a zooming cost to the taxpayer.

This possibility is especially dramatic when you consider that we have in agriculture a great deal of overcapacity in terms of acreage. We have—with the help of the programs—been holding harvested cropland acreage at a level a little below 300 million acres. This is a level that is a historic low for the entire time that we have been keeping records of this type since 1909.

In addition to these acres we are actually using, we have on farms better than 150 million additional acres that are now classified as cropland and could with very little difficulty be brought into production. What I am saying is that for every 2 acres that we are harvesting crops from, we have an additional cropland acre that could easily go into production. In addition, there are many additional millions of acres that are in grassland or treeland but which could be converted to cropland; in fact, many acres of this land has at some time in our history been used for crop production.

We have, then, all of this overcapacity which would be a threat to our productive balance, our farm prices, our entire agricultural economy—should farm programs be permitted to fail. If—through a limitation such as has now been proposed—a great many larger farmers were discouraged from participating in the programs, then we might very well see a lot of this additional land brought into production.

So, it is plain that small farmers as well as larger farmers have a stake in permitting a commodity program to function effectively across the board—to act successfully in balancing supplies and maintaining prices. Otherwise, the smaller farmer as well as the larger operator, would be trying to stay afloat in a sea of farm commodities which we would not have sufficient outlets for, and which would bring the entire fabric of farm programs down around our ears.

We have had considered several times before this proposal to limit payments. It is no more sensible than it has been in the past. It is perhaps even more dangerous to consider it now, because it would in a very short time reverse the successes we have achieved in farm programs the past few years. I ask that the amendment be defeated.

Mr. President, I ask unanimous consent that there be printed in the RECORD a statement and a table with regard to the effect of payment and loan limitation of $10,000 per farm.

There being no objection, the statement and table were ordered to be printed in the RECORD, as follows:

EFFECT OF PAYMENT AND LOAN LIMITATION OF $10,000 PER FARM (PRESUMABLY UNDER EACH PROGRAM)

WHEAT

The total amount of money received from the Government for loans and payments by a wheat farmer with a 220-acre allotment participating in the program and making minimum diversion would total about $10,000 a year.

Nationally, this represents about 98 percent of all wheat farms, so it would not appear to be a serious limitation. However, the proportion of farms of this size varies considerably by States. In Montana and Texas, for example, farms with allotments of 200 acres or less make up between 70 and 80 percent of the total farms with wheat allotments. It would, however, prevent 33 percent of the allotment acreage nationally from participating in the program.

What does a 220-acre allotment mean in income to a wheat producer participating in the 1965 program? With a blend price for his crop of $1.70 to $1.80, only about 25 cents per bushel reflects his share of the wheat on which he must meet living expenses and enjoy some of the things in life that his urban brothers enjoy.

Assuming an average yield of 25 bushels per acre, the harvest from a 220-acre allotment would gross about $9,500 but provide a net wage of only about $1,375. Although many smaller wheat producers have income from alternative enterprises, farmers with allotments larger than 100 acres are more specialized and depend on wheat as their primary or only source of income. Therefore, the very men prohibited from receiving benefits under the program are those who need them most.

In 1964, by comparison, the average annual wage per employed factory worker was $5,354. And he had little, if any, investment in the physical facilities with which he worked. The cotton, wheat, and feed grain farmer, on the other hand had $200 or more per acre invested in land and additional thousands of dollars invested in machinery, equipment and buildings.

SEPTEMBER 10, 1965.

Wheat farm example—effect of payment and loan limitation of $10,000 per farm under 1965-type program in 1966

Item	Unit	Participant who voluntarily diverts—		
		No additional acreage	10 percent of allotment	20 percent of allotment
Allotment	Acre	220	230	235
Diversion:				
Mandatory, no payment	do	24.4	25.6	26.1
Voluntary, for payment		0	23.0	47.0
Yield, actual and projected	Bushels per acre	27	27	27
Price support loan	Dollars per bushel	1.25	1.25	1.25
Certificate value:				
Domestic certificate	do	.75	.75	.75
Export certificate	do	.30	.30	.30
Diversion payment	Dollars per acre	0	16.88	16.88
Harvested acreage	Acre	220	207	188
Production	Bushel	5,940	5,589	5,076
Value of Government support:				
Loan value of production	Dollar	7,425	6,986	6,345
Value of certificates:				
Domestic	do	2,005	2,096	2,141
Export	do	624	652	666
Land diversion payments	do	0	388	793
Total	do	10,054	10,122	9,945

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I have received a number of communications from Oregon constituents relating to various provisions of the bill, H.R. 9811, now under consideration in the Senate. Because of the importance of these communications, I am bringing them not only to the attention of the Senate Committee on Agriculture, but also to the attention of my Senate colleagues so that they can be given thorough consideration prior to final passage of the agriculture bill.

With reference to section 706 of the bill, I have received wires of support from Mr. C. R. Tulley, executive vice president of the Northwest Canners & Freezers Association, Portland, Oreg.; from Mr. J. Hilstrom, of the Portland branch of the California Packing Corp., and from Mr. Shelby M. Tuttle, executive secretary of the Fruit Growers League of Jackson County, Oreg.

Mr. R. G. Scearce, secretary of the Hood River Traffic Association, has indicated his organization's support of S. 1702, which is in essence included in section 706 of the present bill.

President George Meany, of the AFL-CIO, wrote to me under date of September 8 opposing the Holland amendment.

Mr. Alfred J. Stokely, president of Stokely-Van Camp, Inc. also addressed me a letter under date of September 8 in support of section 706.

The class I base rating plan relative to milk marketing orders has been the subject of a number of communications addressed to my office by residents of Oregon. I ask unanimous consent that these letters and telegrams be included in the RECORD at this point in my remarks.

There being no objection, the letters and telegrams were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG.

WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.:

Northwest Canners & Freezers Association urgently requests your support on Senate floor of committee approved amendment to omnibus farm bill H.R. 9811. Section 706 makes Secretary of Agriculture solely responsible for determining needs for and availability of farm labor. The Agriculture Department is eminently qualified for such determinations through its research statistical regulatory and extension services and since it is administratively responsible for meeting the needs of the Nation for food and fiber it follows that such jurisdiction should be placed solely in the hands of the Secretary of Agriculture.

Regards,

C. R. TULLEY,
Executive Vice President.

PORTLAND, OREG.

Senator WAYNE MORSE,
Senate Chamber,
Washington, D.C.:

Earnestly request your support of section 706 of H.R. 9811. This language in Senate version of farm bill gives Department of Agriculture responsibility to determine availability and need of farm labor for harvesting crops. Our canning industry experiences this year confirm that variability of perishable specialty crops and unique peak labor demands should come within purview of executive department charged with supplying Nation's food requirements. The Department of Agriculture through knowledge obtained from local growing conditions, county agency systems, land-grant schools and crop reporting services is well qualified to proceed with this responsibility.

J. HILSTROM,
California Packing Corp.

MEDFORD, OREG.,
September 7, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

The Senate Agriculture Committee has approved a farm bill (H.R. 9811) with a farm labor section included under title VII, section 706, which would switch the responsibility of determining the numbers, availability, and the need for farm laborers from the Secretary of Labor to the Secretary of Agriculture.

We urge your support of H.R. 9811 as amended because (1) the Secretary of Labor can still advise on farm labor matters. It is only the determination of numbers and availability that would rest with the Secretary of Agriculture; (2) since this is primarily an agricultural matter it is logical that the Secretary of Agriculture have these functions; (3) the Department of Agriculture is well set up to perform this job through its county and State committee systems, its extension service, and the land-grant college system; (4) the Department of Agriculture is not to recruit or place labor, but merely to make determinations; (5) through this provision much of the conflict and controversy between farmers and the Government can be eliminated.

Again may we urge your support of this section which is so vital to Oregon agriculture.

FRUIT GROWERS LEAGUE
OF JACKSON COUNTY,
SHELBY M. TUTTLE,
Executive Secretary.

HOOD RIVER TRAFFIC ASSOCIATION,
Hood River, Oreg., September 7, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: We have sent you a day letter today urging you to support Senator HOLLAND'S amendment to agricultural bill S. 1702 which takes the responsibility of determining agricultural labor needs away from the Secretary of Labor and places it under the Department of Agriculture.

We are sure that you are in accord with this legislation and we can count on you to support same when it is presented to the Senate for consideration.

We will appreciate your keeping us posted as to the Senate vote on this bill.

Yours very truly,

R. G. SCEARCE,
Secretary.

HOOD RIVER, OREG.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.:

Urgently request you to support Senator HOLLAND'S amendment to agricultural bill S. 1702 providing responsibility determining agricultural labor needed by Secretary of Agriculture moving responsibility from Office of Secretary of Labor. Understand this is a new section to farm labor bill of above number and that this bill is to be considered by Senate promptly being reported out of committee today. Your support urgently requested.

R. G. SCEARCE,
Hood River Traffic Association.

AMERICAN FEDERATION OF
LABOR AND CONGRESS OF
INDUSTRIAL ORGANIZATIONS,
Washington, D.C., September 8, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Before reporting H.R. 9811, the omnibus farm bill, the Senate Agriculture Committee added an amendment which would take away the authority of the Secretary of Labor to determine the need for importing foreign farm labor. The amendment would give this authority to the Secretary of Agriculture.

The AFL–CIO strongly opposes this amendment. We believe this amendment, proposed by Senator HOLLAND, would seriously undermine the wages, working conditions, and protections which have been achieved for American farm workers.

The Holland amendment was added to the farm bill without normal hearings and debate. The action by the Senate Agriculture Committee trespasses on the jurisdiction of several other Senate committees. Furthermore, the language of the amendment is so general and vague that it would overturn a considerable body of statutory law approved by the Congress, including not only labor protections and welfare legislation but also many other Federal land, farm, and conservation program.

Therefore, on behalf of the AFL–CIO, I urge you to vote to strike out the Holland amendment or any other amendment affecting farm labor and the orderly processes of our Government.

Sincerely yours,

GEORGE MEANY,
President.

STOKELY-VAN CAMP, INC.,
Indianapolis, Ind., September 8, 1965.

Hon. WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: As a member of the business community of the good State of Oregon and being vitally interested in its agriculture, we urge your support of the retention of title VII, section 706, of the farm bill, as approved by the Senate Agriculture Committee. Since this is primarily an agricultural matter the authority to determine the amount and availability of labor required to produce and harvest agricultural commodities is logically and properly a function of the Secretary of Agriculture.

The Department of Agriculture is well set up to perform this job through its present facilities and services. It understands agricultural problems and the problems of the farmer, and can, therefore, make a quicker and fairer judgment as to this industry's needs.

Very truly yours,

ALFRED J. STOKELY,
President.

PORTLAND INDEPENDENT MILK
PRODUCERS ASSOCIATION,
Portland, Oreg., August 5, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
U.S. Congress,
Washington, D.C.

DEAR SENATOR: At the present time, there are two class I base plan bills in the Senate. The bills apply to the Federal milk marketing orders now in effect throughout the United States or those which will come later.

The numbers of the bills to which I refer are S. 399 or S. 2242, either one acceptable to us.

The board of directors of Portland Independent Milk Producers Association has voted to support the proposal in any way they can and have instructed me as their manager to contact our Senators and ask for their support.

Mr. MORSE, the Oregon Milk Producers are in a very precarious position and unless the class I base plan passed, many of them could very well be forced out of the picture. We will apply for a Federal order for this area if the bill passed and becomes law. Our present State milk stabilization is not doing the job for which it was intended due to the interstate milk problem and we are sincere in our belief that a Federal order with a class I base plan is the only answer. May we urge your support of this very important legislation.

We would appreciate having your views on the matter and anxiously await your reply.

Very truly yours,

GLENN RICHARDS,
Manager.

MEDFORD, OREG.

Senator WAYNE MORSE,
Washington, D.C.:

We have requested Washington's representative from National Milk Producers Federation to cooperate with you in furnishing all material and information available pertaining to our desires in returning dairymen's class I base program of text of ominbus farm bill.

D. P. SHOUP,
Oregon Milk Producers,
RICHARD WESTENBERG,
Coordinated Milk Sales.

WOODBURN, OREG.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

As a long-time member Farm Bureau do not support Bureau's objection to milk base plan in farm omnibus bill imperative to Oregon milk producers and reduction of national milk surpluses that base plan be rein-

stated in omnibus bill urge your support for same.

NEAL MILLER,
Woodburn, Oreg., Member Board Directors, Oregon Milk Producers, Chairman Milk Committee Oregon Jersey Cattle Club Representative of Grocys Safeway Milk Producers.

COORDINATED MILK SALES,
Medford, Oreg., September 7, 1965.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SIR: The question of exemption of producer-handlers has, as you know, caused the Senate Agriculture Committee to delete the dairymen's class I base rating plan from the omnibus farm bill.

This alarms my organization no end as we in Oregon have long desired the passage of this program so that we might realistically look at a Federal order program that might answer many of the problems inherent to the dairy industry. Oregon has a long and satisfactory history of bases for dairymen and without some kind of a basing program has always been hesitant to give serious consideration to the Federal order program despite it superiority in other fields of orderly milk marketing.

There are many reasons why producer-handlers should not have blanket exemptions from regulation that would take pages to explain; however, the pertinent point might be that those who are clouding this issue are major factors in the market they are involved in and they desire for obvious reasons to maintain their competitive advantage to the detriment of producers of inadequate size and finances to dominate a market as they do.

I urge action on your part to see that this needed provision is returned to the text of omnibus farm bill.

Sincerely yours,

RICHARD WESTERBERG.

PORTLAND, OREG.

Senator WAYNE MORSE,
Washington, D.C.:

By unanimous resolution we urge your support of amendment to include class I base plan in farm bill when offered on Senate floor.

WALTER WENT,
President, Board of Directors, Mayflower Farms.

Mr. MORSE. Mr. President, Oregon wheatgrowers have expressed a great deal of interest in the wheat certificate plan. In that connection, I enclose a letter dated July 22 addressed to me by Mr. John H. Welbes, executive vice president of the Oregon Wheat Growers League and a wire of September 7, also addressed to me by Mr. Welbes, I request that these items be included in the RECORD at this point.

There being no objection, the letter and telegram were ordered to be printed in the RECORD, as follows:

OREGON WHEAT GROWERS LEAGUE,
July 22, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I want to take this opportunity to thank you for the time you had to spend with me last Thursday morning while I was in Washington, D.C. I knew that you were on a very busy schedule and I enjoyed talking to you that morning.

If you recall, you asked me to send you a letter stating the main points that the Oregon Wheat Growers League wanted in a desirable wheat bill. You also mentioned the fact that as senior Congressman from Oregon, you might want to call a meeting of the entire Oregon delegation to discuss this.

We would like a wheat program to contain the following:

1. Increased income for growers.
2. One hundred percent of parity for domestic consumption and the certificate to come from the marketplace. This portion should not be less than 500 million bushels of our production.
3. At least a 4-year program, to enable our producers to plan more in advance and also to have a more favorable condition at the banks on credit.
4. CCC to remain at 105-percent resale for wheat, or if it is raised, that feed grains be raised accordingly to keep wheat comparative in the feed channels.
5. Use of the substitution clause.
6. Lower Government costs.
7. The use of the overseeding privilege.
8. Wheat used for industrial uses be exempt from certificates.
9. Retain the oat-rye base.

Since returning from Washington, we have sent each of the Senators a loaf of bread along with the material, plus one to all Representatives from the States of New York, Pennsylvania, New Jersey, and Ohio.

If you need any further information on our position, or if you have any recommendations for changes, I would appreciate hearing from you.

Again thanking you for your courtesy shown me while in Washington, I am,

Very truly yours,

JOHN H. WELBES,
Executive Vice President.

PENDLETON, OREG.

WAYNE MORSE,
U.S. Senate,
Washington, D.C.:

We urge you not to abandon the two-price system for wheat. This allows the United States to be competitive in foreign markets and maximizes our exports. We still favor the certificate program similar to one passed by the House. One hundred percent parity on domestic use and long-range program has been endorsed by the league for over 30 years. A 10- to 15-percent export certificate on the House bill would bring income approximately to Young bill thus lowering cost to Government. We favor inclusion of the provision tying wheat prices to bread prices.

JOHN WELBES,
Executive Vice President,
Oregon Wheat Growers League.

Mr. MORSE. Mr. President, several residents of Oregon have written me giving me the benefit of their views on the wheat program and its relationship to the price of bread. Because of the importance of these comments, I ask unanimous consent that these communications be included in the RECORD.

There being no objection, the telegrams and letters were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG.

Senator WAYNE MORSE,
Senate Building,
Washington, D.C.:

Your vital recognition of the serious detrimental effects of the wheat certificate "bread tax" on already depressed baking industry profits is urgently requested. We urge an amendment to the wheat program which would require this added subsidy to wheat farmers to be paid out of the General Fund of the Treasury. We feel this is a national responsibility and the funds should come from the Treasury so that the burden can be properly distributed among individuals and corporations not just the consumers of wheat products.

H. I. JENKINS,
Manager, American Bakeries, Co., Langendorf Division.

THE DALLES, OREG.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.:

I have the highest wheat average in our county and still can't make interest on my investment. I am frugal and a good manager. We must have higher prices in wheat and barley. Can you help us?

Sincerely,

GARY R. KORTGE.

THE DALLES, OREG.,
August 16, 1965.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I urge you to support the 1965 farm bill currently before Congress. I feel that this is a good bill that will achieve what its proponents claim that it will. Among other advantages this bill offers a much needed boost to the wheatgrowers' income.

Opponents of the bill complain that the bill will mean a several-cents-per-loaf increase in the price of bread. This is not true. The actual increase has been calculated at about seven-tenths of a cent for a 1-pound loaf.

This seems only reasonable to me when we realize that the farmer is earning 10 percent less for the wheat in a loaf of bread today than he was in 1950. I am not a wheatgrower, but I do feel that the consumer should expect to pay a portion of the cost of offering a decent price to those who do grow wheat.

Please support this bill with a "yes" vote.

Sincerely yours,

LES FREDRICKSON.

PORTLAND, OREG.,
August 7, 1965.

Hon. WAYNE MORSE,
Senator,
Washington, D.C.

DEAR SIR: This is the first time I have felt impelled to write you concerning pending legislation.

I am utterly opposed to the wheat processing tax, which will accelerate the normal rise in foods from wheat source.

It is perplexing to me and seems wholly inconsistent that the tax on such luxuries as furs, diamonds, jewelry, etc., should be repealed, and a tax placed on wheat products, such as bread, flour, cereals, etc.

It would seem that if any legislation is proposed to "rob Peter to pay Paul," the funds could be raised from a source other than a basic food product.

Respectfully,

L. V. MEAGHER.

HEPPNER, OREG.,
August 13, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: The Morrow County Farm Bureau has gone on record as supporting the proposed farm program. Your assistance in securing passage of this legislation is requested as we feel that it is in the best interests of the commercial wheatgrower.

Very respectfully yours,

GENE MAJESKE,
President, Morrow County Farm Bureau.

PENDLETON, OREG.,
August 4, 1965.

HON. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: Not as a wheat farmer but as the nearest thing to one, his wife, I am writing you my judgment on the two best things the Government can do for the wheat farmer:

One, get out of our business.

Two, stop spending so much money.

How do the statisticians, as quoted by Congressman ULLMAN, know that the wheat certificate program raised farmer's income $450 million? The income that counts, the part which is left after taxes on one side and expenses on the other, gets smaller every year.

Another set of meaningless statistics states that since 1947 the price of wheat has dropped 9 percent while bread has risen 47 percent. I can tell you from personal experience what has really happened on the farm since 1947.

While the cattlemen had voted an end to Government controls, the wheat men, threatened as always with a surplus, decided to stay in the Government program. Apparently no one in the Government or on the farm had ever heard of the law of supply and demand, or else thought it had been repealed. At any rate, everything was rosy in the late forties and the fifties. Price supports were high and crops were good. Wheat that could not be sold was absorbed by the Government. Although wheat farmers were not really trading in their Cadillacs as soon as the ashtrays were full, they were like kids turned loose in a candy shop, buying all the machinery they wanted for the first time in history, and farming became the world's first automated industry.

At the same time they were bidding against outside investors for land.

Only economists controlled by farm-bloc politicians could have failed to foresee the results. First, the use of wheat as a feed grain ceased, impossible at support prices, and wheat, the most nutritious livestock feed, continued to pile up. An embarrassed Government began a giveaway program which culminated in our ridiculous sale of subsidized wheat to the Russians, who claim to be our enemies. Land prices doubled and tripled, and real estate taxes tripled too.

The rush of machinery buying sent prices skyrocketing, while the machinery companies were squeezed in their own way by higher taxes and the increasing demands of labor, which had become a sacred cow to the Government since the reforms of depression days. But wheat men were saying that they had to keep buying new machinery so that the depreciation allowances would keep the income tax from eating them up, and machinery prices continued to rise.

In the meantime fertilizer entered the picture, and farmers, who had always taken pride in making two blades of grass grow where only one had before, accelerated the growth of the wheat surplus until it became a national scandal, and farmers were looked upon as villains. Bureaucratic acreage controls and the multiple price plan were inevitable. The first pays the farmer not to produce, a form of legalized racketeering, and the second is a foreign giveaway at the expense of the American processor, consumer, and taxpayer, which demoralizes the economy of the people who receive our largess while it weakens ours.

Was there a better way? The Oregon Wheat League found it, but they made one serious mistake—they sold wheat instead of wheat products. Before World War I, every town in the wheat country had its mills. Much flour in our area was exported to China and the byproducts, about a fourth of the total, were used to produce our horsepower. Although petroleum has now replaced wheat for this purpose, we should reactivate the mills or build new ones here instead of in foreign countries, making jobs at home; we should sell wheat products abroad; we should feed livestock on wheat and wheat byproducts for sale both at home and abroad.

Under a system of really free enterprise, which I have seen called outmoded, we would not be treated to the ridiculous spectacle of the farmers of this area trying to make a living from wheat alone, which we are allowed to raise in limited quantities only so that the price can be held too high to make it economical for feed, while our turkey industry has gone broke, most mills have long since faded from the picture, and we import meat, milk and poultry products into the country. And right across our nearest ocean is a booming economy of 90 million people with mouths watering for our beef which we can't afford to raise.

We can't afford our Robin Hood government, which is taking credit for our prosperity which really belongs to science and industry. The world had been preparing for our postwar burst of progress since the first man built a fire. From that progress America was able to help both its friends and former enemies to get back on their feet, and so delayed the depression which always follows war. But this prosperity is being endangered by continued deficit spending, to help a lot of people who cannot find jobs because deficit spending causes inflation, which in turn causes unemployment.

We are changing from a nation of people who work for what they want to a horde of supplicants who are given what the bureaucrats think they need. And if you think the bureaucrats are not in charge, just try to cut down on some of them and see what happens.

I am not against the war in Vietnam, as such, since I have read Dr. Dooley's book, "Deliver Us From Evil." But the tactics seem incomprehensible. Worst of all, we seem to have forgotten our real purpose, to prove that a society based on principles of justice, freedom, and individual responsibility under God is better than one based on atheism. We act as if man can, too, live by bread alone. The proliferation of welfare programs has left Americans with no incentive. Is it any wonder so many misbehave for kicks? In short, our fascistic and socialistic government is taking all the fun out of life.

You can put a stop to our slide into regimentation, however, by tightening the purse strings. Get the Government out of our private affairs; stop squandering our money on programs that don't accomplish what they are supposed to; and get on with the legitimate Government business of protecting us from our enemies.

Very truly yours,

Mrs. R. L. HARRIS.

Mr. MORSE. Mr. President, egg producers have informed me of their great interest in the Case-McGovern amendment to H.R. 9811 relating to a national marketing order for eggs. I ask unanimous consent that these communications be included in the RECORD.

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

NEWBERG, OREG.,
August 27, 1965.

Senator WAYNE MORSE,
Washington, D.C.:

It is my understanding that Senators CHASE and MCGOVERN will offer an amendment to the farms bill containing enabling legislation for the poultry industry. As an independent family-type farmer with 15,000 laying hens, I believe that egg producers are entitled to vote on their own future and would appreciate your support of this amendment.

BENSON C. MITCHELL, Jr.

NEWBERG, OREG.,
August 27, 1965.

Hon. WAYNE MORSE:

Senator CASE from New Jersey will introduce an amendment to the farm omnibus bill which is an enabling act. The enabling act which will only give the producer the right to vote on a marketing order. Please give your support to this amendment.

Sincerely,

MILTON R. KECK.

NATIONAL EGG PRODUCERS' ORGANIZATION,
LEXINGTON, MO., *August 5, 1965.*

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: We wish to call your attention to a serious situation confronting Oregon's egg industry. You will note in the enclosed "Shifting Egg Industry" that Oregon and other States are losing their egg industry to the Southeastern States because of cheap labor.

Senator CLIFFORD CASE, of New Jersey, has introduced the H.R. 7481 Resnick egg bill into the Senate and we are seeking cosponsors. The Resnick egg bill asks no Federal money or loans and is strictly self-help and enabling legislation. In short, it would permit the existing egg producers to agree and vote on a nationwide egg marketing order.

Virtually all the egg producers, the Department of Agriculture, National Grange, National Farmers' Union, National Farmers' Organization, and all bona fide producer groups are in agreement on this Resnick bill.

The opposition comes from a few hatcheries, the Farm Bureau, and from the Southeastern States who admit they are out to take over the egg industry. It is difficult to "come out of committee" with the Resnick bill because 4 of 11 House Dairy and Poultry Subcommittee and 6 members of Senate Agriculture Committee are from this southeast area.

Our best bet would seem to be an amendment from the floor. Representative RESNICK intends to present his bill on the House floor.

The Resnick bill would not bring back lost egg production (we can't turn back the clock), but it would nail down existing production history in each State.

In closing we wish to call your attention to the enclosed "White Paper on Eggs" and kindly urge your cosponsorship with Senator CASE. I remain,

Sincerely yours,

FOREST NAVE, Jr.

NATIONAL EGG PRODUCERS' ORGANIZATION,
Lexington, Mo.

THE SHIFTING EGG PRODUCTION

Due to cheaper labor, the egg industry has been going south at the expense of other States. The Resnick bill would stabilize the industry and prevent further losses.

THE LOSERS

[In million eggs]

	1955	1964
Colorado	336	262
Illinois	3,035	1,863
Indiana	2,289	2,182
Iowa	4,859	3,818
Kansas	1,723	927
Kentucky	1,029	943
Maryland	404	276
Massachusetts	704	607
Michigan	1,690	1,316
Minnesota	4,287	2,791
Missouri	2,132	1,366
Montana	225	189
Nebraska	1,790	1,397
Nevada	20	10
New Hampshire	429	348
New Jersey	2,433	1,632
New York	2,123	1,909
North Dakota	559	387
Oklahoma	829	530
Oregon	616	550
Pennsylvania	3,654	3,143
Utah	380	273
Vermont	201	156
West Virginia	396	327
Wisconsin	2,311	1,630

THE GAINERS

Alabama	789	2,177
Arkansas	544	2,242
Florida	568	1,611
Georgia	1,213	3,299
Louisiana	364	542
Mississippi	585	2,160
North Carolina	1,469	2,388
South Carolina	510	1,053
Virginia	860	1,237

POVERTY WITH FULL EMPLOYMENT

(NOTE.—The following is the NEPO white paper on the poultry and egg industry prepared by Forest Nave, Jr., of Lexington, Mo., chairman of National Egg Producers Organization.)

Over 30 years ago, uncontrolled and unrestricted free enterprise almost destroyed itself in the Great Depression. During the intervening years many controls and safeguards have been applied to industry, labor, finance, welfare, and agriculture and we now enjoy the greatest era of prosperity and security in history.

The multibillion-dollar poultry industry is the last vestige of unregulated free enterprise and remains a chronic wasteland of poverty and exploitation.

The consumer can afford to pay a few pennies more for a dozen eggs because the U.S. Department of Agriculture points out that in 1947–49 an hour's factory labor would buy 2 dozen eggs and in 1963 it would buy 5 dozen eggs.

The poultry industry can be restored to solvency by legislation to put up a few economic stop signs and traffic lights to regulate the supply of poultry and eggs and once and for all end the senseless and costly overproduction that chronically plagues the industry. A few commonsense regulations by an enlightened Department of Agriculture would return many times over the small cost by income taxes from a now profitless industry.

The producers of wheat, feed grains, wool, cotton, rice, tobacco, peanuts, sugarcane, sugarbeets, soybeans, cottonseed, milk, butterfat, honey, and tung nuts have Government programs to insure them of a measure of financial security. The livestock producers are prospering by near-parity prices of $28 for choice cattle and lambs and $25 for hogs and the farmworkers get decent wages because of the elimination of the Mexican braceros and all this while the poultry and egg farmers are wallowing in poverty.

THE PROOF

The following statistics show what has happened to poultry and egg prices since 1951.

Average farm price

	Eggs	Chickens	Turkeys
1951	47.9	27.3	37.5
1952	41.9	26.4	33.6
1953	47.5	25.5	33.7
1954	36.4	21.3	28.8
1955	38.9	23.4	30.2
1956	38.7	18.8	27.2
1957	35.8	18.0	23.4
1958	38.3	17.7	23.9
1959	31.1	15.3	23.9
1960	36.0	16.3	25.4
1961	35.4	13.4	18.9
1962	33.6	14.6	21.6
1963	34.0	14.0	22.2
1964	33.5	13.7	21.3
1965	31.5	14.8	22.5
May 15, 1965	29.4		
Parity	48.0	22.1	32.0

The foregoing chart shows that as of May 15, 1965, farmers were receiving the following:

	Percent of parity
Eggs	61
Chickens	67
Turkeys	70

THE CAUSE

The pitiful economic status of the poultry farmers is due to several factors.

1. Poultry farmers have no organization among themselves as does labor.
2. No legislation to protect them.
3. No program as do other farmers.
4. They have no protection against the feed grain program which increases their costs.
5. Their greatest enemy is exploitation by certain feed companies and chain food stores who are constantly promoting new production with complete disregard for market needs. Their procedure is to induce uninformed people to invest their life's savings in the poultry business. They soon find they are working for nothing and they are soon forced out and their life's savings are lost in abandoned poultry houses. The promoters merely go to another community and repeat the process and the cheap poultry and eggs the consumer enjoys are subsidized by cheap labor and a constant supply of savings of victimized people.

SOLUTION

The solution really is very simple. We merely need a Government-operated program administered by the Agriculture Stabilization and Conservation Service (ASCS) which has an office in each county.

The program would be based on number of hens kept in the case of egg producers and pounds of broilers and turkeys sold in the case of broiler and turkey growers.

A "base" should be established for each producer according to his recent production history and if in a 12-month period prices were unfavorable the Secretary of Agriculture would call for a referendum in which all qualified baseholders would vote to accept or reject a reasonable cutback for the ensuing 12-month period.

This kind of a program would make it difficult for feed companies and chainstores to induce inexperienced outsiders to enter the poultry business because the newcomer would have no base (production history). The promoters would have to bargain with the existing poultry and egg farmers and we could have a stable and prosperous industry and unsuspecting outsiders would not be duped into putting their money in chickenhouses which are usually abandoned.

The National Egg Producers Organization (NEPO) has filed a proposed egg control bill with Representative WILLIAM RANDALL which is at this date in the process of being introduced in Congress.

FOREST NAVE, Jr.,
Chairman, National Egg Producers Organization (NEPO).
LEXINGTON, MO.

SALEM, OREG.,
August 27, 1965.

WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We urge you to support Senator CASE's amendment to the omnibus farm bill—Senate amendment No. 423, which provides for a national marketing order for eggs.

This legislation will be a means of preventing the takeover of the egg industry by national feed concerns and elimination of family farming.

We have 3,000 hens. We are 60 years of age and our sole livelihood is dependent upon these hens. We have several neighbors in this same situation.

Thank you for your past favors.

Sincerely,
W. M. and J. DE MOISE WHITE.

Mr. MORSE. Mr. President, Mr. R. C. Burgess, interim superintendent, Division of Parks and Memorials, wrote me an important letter under date of August 11, 1965, dealing with Senator NELSON's proposed amendment to the farm bill. Mr. Burgess expressed the view that this amendment would constitute an excellent solution to recreation and wildlife problems. I ask unanimous consent that this letter be included in the RECORD.

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

DIVISION OF PARKS AND MEMORIALS,
Portland, Oreg., August 11, 1965.

Hon. WAYNE MORSE,
Senator of Oregon,
Washington, D.C.

DEAR WAYNE: You may wonder what an old eastern Oregonion is doing in Multnomah County. Foresters and conservationists know no boundaries, and a fellow has to keep his interest even after so-called retirement.

Senator NELSON's (Wisconsin) proposed amendments to S. 1902—the big farm bill—would appear to be an excellent solution to a lot of recreation and wildlife problems. These amendments make good sense from every angle. It is not often one can work out legislation that will benefit all parties concerned as these amendments appear to do. When we can get added cover and game feed with all the accompanying benefits from our soil bank land with a minimum of extra cost, let's give it the support it deserves.

Very sincerely yours,
R. C. BURGESS,
Interim Superintendent.

Mr. MORSE. Finally, Mr. President, I received a letter dated August 21 containing the very thoughtful views of Mr. Lawrence E. Spraker on the subject of the soil bank. It deserves serious consideration and I ask unanimous consent that this letter also be included in the RECORD.

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

STAYTON, OREG.,
August 21, 1965.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: If I remember newspaper accounts correctly the Senate soon will be considering the farm bill.

One provision of this measure would permit a soil bank of some kind.

If farmland is to be held out of production for a term of years provision should be included for plowing of the tillable acreages every summer to control Johnson grass which can be given a blow by exposure of its multitudinous roots to hot sunshine.

I speak from experience.

Two years ago we bought a 169-acre farm in the Turner area that had been in the soil bank for 5½ years and was continued in that category for another 6 months under our ownership.

Results: Johnson grass has taken a tremendous hold on the land. Plowing is extremely difficult; requires a special breaking plow and lots of expensive tractor power. And most destructive is the poor yield of the land because of the extensive Johnson grass root system.

By summertime plowing and the resulting exposure of these roots to hot sunshine we hope to get this pest under control. It can be treated chemically, but I'm told that costs $20 an acre.

So, you can see, the soil bank has been a destructive factor. Definitely, fertility of the soil was not improved by allowing it to remain idle for 6 years.

In my view, an inducement (financial) should be written into the proposed law that

would promote yearly cultivation or, say, a chemical treatment periodically.

Sincerely,

LAWRENCE E. SPRAKER.

INNOCENT MAN CLEARED—PRESIDENT GRANTS PARDON TO SERGEANT BUCK

Mr. DOUGLAS obtained the floor.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Will the Senator from Illinois state the amount of time he wishes to take?

Mr. DOUGLAS. Mr. President, I ask unanimous consent, although it might be a somewhat ironical request, that any time I take not be included in the time allotted on the bill or on any amendment thereto.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. I am delighted that no objection was made to that request.

Mr. President, it is my honor to announce to the Senate that a great wrong has been set right. The good name of an innocent man has been cleared. The President of the United States has granted a pardon based on his innocence to former Marine M. Sgt. Carl H. Buck. This has come, finally, 13 years after his conviction and after 9 years of effort and investigation by Mr. Howard Shuman of my staff and others on Buck's behalf. The facts in the case are substantially as follows:

CONVICTION

M. Sgt. Carl H. Buck, a marine with an unblemished record of almost 20 years of service, was convicted on August 19, 1952, by a general court martial at Camp Pendleton, Calif., of stealing three boxes of chevrons worth almost $500 through an off-the-record deal in which it was alleged he gave $50 in return.

The crime occurred at noon on March 7, 1952. Buck was convicted even though he was arrested 25 miles from the scene of the crime only 8 to 10 minutes after the crime took place, according to the definite testimony at the trial of California highway police officer, William Doran, who stopped him. The real culprit was a marine in a light colored or yellow Studebaker. The reason for the mistaken identity was that Sergeant Buck was also a marine driving a yellow Studebaker.

Sergeant Buck was originally confined for over 3 days for investigation but was released to duty and told that no charges would be placed against him. He would never have been released, as he was, if the testimony later given at his trial had really been true.

Four months later, however, he was charged, and 5 months later, on August 19, 1952, he was convicted.

CURIOUS CIRCUMSTANCES

He was convicted under curious circumstances, not the least of which was that his defense counsel was called as a prosecution witness.

In addition, it was alleged that he had confessed.

He was identified as the culprit by two people at the scene of the crime, but not by a third person who was there.

It was said that chevrons wrapped in an Army blanket were left at his lawyer's office 11 days after the crime took place. It was alleged that Buck had returned the chevrons.

Finally, it was said that he asked for his money back—the $50 which was paid for the chevrons worth about $500.

Mr. President, we have spent years investigating this case. We found out numerous things which have now, finally, brought justice for Sergeant Buck.

TIME ELEMENT

We obtained radio logs from the California Highway Police and the Oceanside, Calif., Highway Police Department which prove that Buck was apprehended at a time which made it impossible for him to have traveled the 25 miles. In addition, we have established that Buck's car was incapable of the high speed because it had a bad camshaft. He was in Oceanside, Calif., just outside the base, on the morning of the crime, in order to arrange for the camshaft to be replaced, which, later, it was.

We have corroborative evidence from the police radio logs of Police Officer William Doran's testimony to establish that at the absolutely latest time Buck could have been apprehended in order to have been the guilty party, he would have had to drive the last 18 miles of the 25 miles in from 13 to 16 minutes, or at an average speed of from 67 to 89 miles per hour, through a driving rain at the noon hour, to have met 150 cars coming his way and to have overtaken approximately 75 cars on a 3 lane highway, through 6 towns, 9.5 miles of built-up areas, past 91 intersections, through 7 or 8 stop lights, and to have disposed of the stolen goods and then to have pulled up in front of the highway police officer and calmly gotten out of his car in order to fix a dangling license plate which had been called to his attention by a motorist who stopped him at the Solana Beach, Calif., intersection. He was not speeding when seen by the police officer.

Unlike the real culprit, he was wearing a green uniform, not khaki, was clean shaven and without a mustache, and he did not have the chevrons in his car. Furthermore, there was no blanket or robe in his car, which the culprit had used to cover the boxes of chevrons, and there was also no sweater or jacket or shawl which the real culprit used at the scene of the crime to protect his head from the driving rain.

THE UNKNOWN BLACKMAN

At the trial, the military policeman who was charged with setting a trap for the real culprit and who, due to his own neglect and incompetence, let the real culprit escape, swore that he had Buck's name ahead of time. But the radio logs prove that at 1 p.m., or 50 minutes after the crime took place, this investigator did not know the name of Buck.

Two California highway police officers gave us affidavits stating that the military police were looking for a "Blackman," not "Buck" at the noon hour on March 7, 1952.

But, at the trial, the military policeman swore that "there was no Blackman." He was positive. He had looked everywhere. But 2 years ago we found a Blackman who was stationed at Camp Pendleton at the time by merely asking the Marine Corps about it. We now know there were a total of at least seven men by that name stationed at Camp Pendleton or at the Marine Corps Recruit Depot, San Diego, at the time.

In June of this year, by what must be considered almost a miracle, we were able to obtain the original handwritten notes of the military policeman or investigator which he made at the time the crime took place 13 years ago. They show in his own handwriting the names of three men named "Blackman." Yet, his insistent and repeated testimony at the trial was that there "were no Blackman's." One of the names he had was the same Blackman we found 2 years ago.

ALLEGED CONFESSION

It was this same military policeman who testified that Buck had confessed. Yet there were no other witnesses to the confession. There was no written confession. There was not even a memorandum about the confession. It was only the CID man's word. In addition, we were able to establish from a 1952 map of Camp Pendleton and the original statement of one of the other witnesses that the facts which it was alleged Buck had confessed to were both physically and inherently improbable.

THE PHONY CHEVRONS

We found that, with respect to the alleged return of the chevrons:

First. The man to whom they were delivered and who later became Buck's defense counsel, did not know Buck at the time the chevrons arrived and Buck did not know him.

Second. The chevrons which were returned were in an Army blanket which contained private first class chevrons and no green chevrons. The chevrons which had been stolen were corporal and sergeant chevrons and included green chevrons. At the trial, a third box of chevrons was introduced as prosecution exhibit No. 1. But neither the stolen chevrons nor the returned chevrons were produced. The chevrons introduced by the prosecution and the chevrons returned were like "the flowers that bloom in the spring," they had nothing to do with the case.

Third. We were able to establish from the records of the U.S. Naval hospital in San Diego that Buck was in that hospital, 50 miles away, flat on his back with spinal myositis on the date some chevrons wrapped in an Army blanket were left at the office of the man who only later became Buck's defense counsel.

TAINTED TESTIMONY

We also made a most startling discovery with respect to the sworn testimony that Buck had asked for his $50 back. The $50 paid for the stolen goods consisted of two $20 bills and two $5 bills.

Several years ago Buck gave us a sworn statement about this matter. What happened was that when he was arrested and put in the brig, his wallet and clothes were taken from him. He remembered that he had a $50 bill—not the two twenties and two fives which were paid for the stolen goods—in an inner compartment of his wallet as

"mad money." He retrieved his wallet, took out the $50 bill, and turned it in. The CID military policeman said at that time:

Take down the number. It's probably counterfeit.

When Buck came out of the brig he asked for his "$50 bill," not the two twenties and two fives paid for the stolen goods. But, at the trial, the CID man swore that Buck asked for his money back—the money paid for the stolen loot.

Again, Mr. President, we made an amazing discovery. In the original documents written in the period March 7, to 25, 1952, which we obtained in June of 1965, we found the confinement order which sent Buck to the brig. On the top of that order is the handwritten notation, "$50 bill" and the serial number of that bill.

In those same documents are the notes of the CID sergeant and investigator who testified against Buck. In his own handwriting and in his notes written on March 7, 1952, is also the notation, "$50 bill" and the bill number, and the two bill numbers agree.

Thus, when he testified at the trial that Buck "asked for his money back," he knew Buck had done no such thing but had asked for his "$50 bill" back. The notation was in the CID man's own handwriting. Yet, at the trial this incident was called "the crowning glory" by the prosecutor.

PERJURED TESTIMONY

Buck was convicted on perjured and tainted evidence. We can prove it from the handwritten notes of the man who gave that testimony, and virtually all the other key testimony against Buck. This was the same man who goofed in letting the real culprit escape, but who was nonetheless put in charge of the investigation of the case.

IDENTITY—NO LINEUP

It was this same man who also identified Buck at the trial as the culprit. He had a motive to do this; namely, he had let the real culprit escape and had allowed $500 of Government property to be stolen. But we found out that, apart from his motive, no lineup was held for the identification. And, to the best of our knowledge, the second man who identified Buck as the culprit, did not set eyes on Buck until at least 4 months after the crime took place; namely, at the time of the pretrial hearing. By this time, this second witness had been told that: First, they had the guilty man; second, he had confessed; third, the original stolen chevrons had been returned by the lawyer; and four, he had asked for his money back—none of which, as we now know, was true. And at the pretrial, this second witness testified the culprit wore a mustache, which Buck had never worn. Buck was clean shaven when arrested a few minutes later.

THE UNUSED LICENSE NUMBER

We also found out that the military policeman had the license number of the guilty party 2 hours before the crime took place. But the license number was never used at the trial and was "suppressed" by the CID man and was unknown to the prosecutor at the time of the trial. If it had been Buck's license number, it would have been used. It accounts for the name of a "Blackman" going out over the police radio at noon on March 7, 1952. And it is also the reason the radio logs show that the CID man did not have Buck's name that day as he repeatedly swore he did at the trial.

MILITARY POLICEMAN REFUSES TO TALK

Finally, Mr. President, when this CID man was confronted with this information on June 25 of this year, he not only refused to talk about the case, but literally ran away. He has, over the years, repeatedly and consistently refused to cooperate in any way with us in our investigation.

BUCK'S STRUGGLE

Mr. President, this has been a terrible struggle and ordeal for Sergeant Buck and his family. He and his lovely wife, Jeanette, and their two fine children have suffered for the injustice for a 13-year period. During most of this entire period, the 13 years Buck has suffered, the 9 years we have worked on the case, and the 7 years in which a pardon has been pending, the permanent officials of various agencies of the Government, both military and civilian, have opposed our efforts. They have cooperated with us in getting information and facts, but they have opposed clearing this man's good name.

It should be a good lesson to the public, and especially to the political scientist who tends to downgrade elected officials and to lionize administrators that it was because the elected politicians, both in the legislative branch and the executive branch, were willing to fight for justice for Sergeant Buck while, in most cases, the administrators and permanent bureaucracy—both military and civilian—opposed him, that his good name has now been cleared.

A SALUTE TO THOSE WHO HAVE HELPED

Mr. President, there are a great many people who deserve recognition for the help they have given to Buck over the years.

First, I pay tribute to my administrative assistant, Howard Shuman, who for 9 years has waged an untiring and selfless struggle to obtain the facts and to make them evident to the administrative officials. He has furnished the driving force and the clear analysis which has resulted in the final exoneration. Probably more than all others together, he is responsible for the final vindication of Sergeant Buck.

Attorneys, Joe Rauh and John Silard, have worked 7 years for Buck without compensation. Senators MANSFIELD, SMATHERS, and MUNDT joined with me in requesting a Presidential pardon in 1958. Senators JACKSON and MAGNUSON, of Washington, where Buck now lives, have helped. Congressman TOM FOLEY, when he was a member of Senator JACKSON'S staff, did a great deal of work on this matter. Miss Alma Hostetler, of Senator MAGNUSON'S office, helped at crucial times. Attorney Charles Slayman, who formerly was the counsel of the Senate Constitutional Rights Subcommittee, worked very hard on this case. Attorneys Fred Shields and James N. Jones, of Washington, represented Buck at crucial times in his struggle. Attorney Frank Delany gave a great deal of time, free of charge, in an effort to help Buck—unknown to Buck, I believe.

Federal Judge Martin Pence, of Hawaii, wrote one of the finest briefs on Buck's behalf, and as a civilian lawyer and former serviceman who knew Buck, helped manfully in his defense. Brig. Gen. James Snedeker, retired, of the Marine Corps, wrote an excellent brief for Buck at the appellate stage.

I must also mention Mr. Lee White, of the White House staff, without whose help our efforts for justice could never have been successful.

Not the least of all, I want to pay tribute to Charles Horsky, special assistant to the President, who recommended the pardon for Buck based on the materials submitted to him. I can honestly say that at no time did we bring any political pressure on him or ask him to do anything but judge this case on the facts which we had gathered. He is one of the few people who have reviewed this case over the years who had had a thorough grasp of it and worked at it hard enough to understand fully the vast materials which we had gathered and submitted.

There are others—almost too numerous to name—who have helped with this case, only to have their efforts, until today, end in discouragement and disappointment. Among them I should mention newspapermen James McCartney, of the Chicago Daily News, the late Albon Hailey, of the Washington Post, and Fred Cook and Al Toffler.

Mr. President, it is a great day for the country that a way has been found to clear the good name of an innocent man. I am only sorry that it has taken so long and so much agony to right this wrong.

PRESIDENT JOHNSON DESERVES TRIBUTE

Especially, I want to pay tribute to the President of the United States. Here is a 13-year-old case. Here is a case in which Sergeant Buck fought to clear his good name over the years. His wife and family stood beside him throughout his terrible ordeal. His was one of those rare and compelling cases where a man was wrongfully convicted. And a great tribute should be paid to the President of the United States and his staff who, seeing such a wrong, took action to correct it.

There is tragedy and injustice in the world. Our system, however, does have within it a way to rectify injustice. It is the result of a democratic society and the way in which elected officials can respond to the needs of the individual citizen.

Sergeant Buck was without political influence. He had no lobby. He is by any standards a man of most modest means. Yet, his case and his injustice was recognized and put right by the

President of the United States who took a personal interest in this modern example of a Dreyfus case.

That this could happen not only does honor to Sergeant Buck, but the President of the United States, by pardoning Sergeant Buck on grounds of innocence, does honor to himself and also honors us all. God bless the United States of America.

I ask unanimous consent that certain newspaper articles dealing with the case of Sergeant Buck be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Sept. 11, 1965]

THIRTEEN YEARS AFTER CONVICTION PRESIDENT CLEARS MARINE OF CHARGE HE STOLE CHEVRONS WORTH $500

(By Harrison Young)

Carl Hirdler Buck can call himself a marine again.

President Johnson granted him a full pardon yesterday on grounds of "innocence" 13 years after his conviction on a charge that he stole three cartons of uniform chevrons worth $500.

A spokesman for the Justice Department said a pardon by reason of innocence was exceptionally rare but that new evidence had been uncovered to support Buck's adamant plea that he was guiltless.

The offense with which Buck was charged was alleged to have taken place in San Diego, Calif., in March of 1952. He was court-martialed, found guilty, sentenced to 11 months in the stockade and dishonorably discharged. Buck appealed his case unsuccessfully through all possible military channels.

WANTED TO CLEAR NAME

In 1956 the Board of Correction of Naval Records changed his discharge from dishonorable to general discharge under honorable circumstances, but Buck wasn't satisfied. He wanted to clear his name and get back in the Corps. He had already moved to Washington to fight the court-martial, and he didn't plan to quit.

Then Senator PAUL H. DOUGLAS, Democrat of Illinois, came to his aid. Buck was born in Illinois and the Senator had served in World War II as a marine. So Buck went to see him when his appeals were denied.

Senator DOUGLAS persuaded Rear Adm. Chester Ward and the Navy Judge Advocate General, to take another look. He pointed to "numerous questions of military justice" in Buck's case:

"Buck's defense counsel acted as a prosecution witness during the trial."

"No stolen goods were ever produced at the trial * * *."

"From the police logs at San Diego and at Oceanside, Calif., it appears that for Buck to have been the person involved he would have had to drive some 22 miles, at high noon, through a driving rain, through five towns, most of them with stop lights, and meanwhile have gotten rid of the stolen goods, all in some 21 minutes."

TRAP SET FOR BUYER

Buck had been charged with buying the $496 worth of chevrons for $50. The chevrons were handed over by two supply sergeants and a Criminal Investigation Division master sergeant who had set a trap for the man who proposed the deal.

The buyer appeared, paid one of the sergeants $50 and drove away in a yellow Studebaker. Not more than 21 minutes later, Buck was spotted by a California highway patrolman 22 miles away, sitting at a stoplight in his yellow Studebaker. Buck was taken to Camp Pendleton and put in the stockade.

Buck told the Washington Post last night from his home in Seattle that when he arrived the CID sergeant took a $50 bill Buck had with him. When he was released 72 hours later, he asked the man, who was in the stockade office at the time, what he had done with the $50 bill. Buck was given a check instead of cash.

At the trial, Buck, said the CID sergeant testified that Buck had asked what he had done with the $50. The sergeant had not made clear that the reference was to the bill, not to the money that was paid by whoever bought the chevrons, Buck said.

A note in the CID sergeant's handwriting was recently discovered in the stockade log, Buck said, stating that a $50 bill had been taken from him. This erased the implication of the CID sergeant's testimony.

Buck said the note was found by a member of Senator DOUGLAS' staff. DOUGLAS had pursued the case, even after Admiral Ward announced there was "no legal justification" to reopen the court-martial.

Buck, now 52, and operator of a restaurant in Seattle, said he felt "light as a feather," after the pardon. He said he presumed it meant he was back in the corps—though he can't go back to active duty as a master sergeant since he has been crippled by arthritis for the past 2 years.

"I was a marine for 22 years," he said. "I imagine I'll die one."

[From the Chicago (Ill.) Daily News, Sept. 11, 1965]

L.B.J. GRANTS PARDON AFTER 13 YEARS—MARINE'S ORDEAL AS ACCUSED THIEF

(NOTE.—President Johnson Friday granted a presidential pardon to an obscure former Marine Corps sergeant who was convicted by military court-martial on a charge of larceny in 1952. In a virtually unprecedented case, the President overruled military authorities and declared the sergeant did not commit the crime. The story behind the presidential pardon is a startling case history of a miscarriage of military justice as well as an amazing real-life detective story. The Daily News tells the story here in all its fascinating detail in an exclusive dispatch by Washington correspondent James McCartney.)

(By James McCartney)

WASHINGTON.—This is the story of the ordeal of Sergeant Buck—an ordeal of 13 years that has finally ended at the White House.

It began, innocently enough on March 7, 1952, at an intersection in Solano Beach, Calif., 90 miles south of Los Angeles.

Marine M. Sgt. Carl H. Buck, a baker, then 39, with 16 years in the Marine Corps and a virtually perfect record, stopped to fix a loose license plate and was approached by a state highway patrolman.

Within minutes he was held for investigation in connection with a theft that had occurred, at the most, 23 minutes earlier—25 miles away, at Camp Pendleton, Calif.

The thief had been identified as a marine master sergeant. He had escaped in a "light colored" Studebaker. Buck was driving a yellow Studebaker.

At first Buck took it all as a joke and believed that, like a bad dream, it would go away.

But within hours the military policeman who had let the thief escape pointed to Buck and said: "That's the man I want."

For 13 years Buck argued that he was the victim, first, in a fantastic case of mistaken identity, and, next, of a frame up.

He saw his career ruined with a dishonorable discharge, his savings drained and his reputation destroyed.

At one time in the Eisenhower administration he was offered a pardon based on his record both before and after the crime, but avoiding an assessment of his role in the incident.

He refused it as a matter of principle—insisting that his name be completely cleared.

He battled on long past the point where obtaining his pension rights could be considered his main goal. What he sought to save was his honor.

President Johnson has now given that back to him, formally. He not only granted Buck a special Presidential pardon, he formally cleared his name.

FOUND GUILTY IN 7 MINUTES

When first arrested Buck was held incommunicado for 72 hours and then released.

But 4 months later he found that a case had been built against him—primarily by the man who had let the thief escape.

To his astonishment he was called to stand trial on a larceny charge. Even then he took it as a lark.

But on August 19, 1952, a six-man military court deliberated for 7 minutes, found him guilty, and sentenced him to 18 months in the brig.

Veteran Washington civil rights Attorney Joseph L. Rauh, Jr., described it as "one of the strangest cases in military history."

Senator PAUL DOUGLAS, Democrat, of Illinois, an ex-marine himself, called Buck an innocent man.

The road back for Buck began in the summer of 1956 when he walked into DOUGLAS' office in Washington to plead for help. He went to DOUGLAS because he was born in southern Illinois.

On that day he encountered Howard Shuman, 41, administrative assistant to DOUGLAS, and a passionate believer in civil liberties.

At first Shuman, onetime Oxford student and former instructor in economics at the University of Illinois, was skeptical. But he took the time to examine the evidence carefully and, slowly, over a period of time, became convinced that Buck, was, indeed, innocent.

For 9 years Shuman made the case his personal responsibility. It became the consuming passion of his life.

He read all the documents and records and was not satisfied. He began to write letters, by the dozens, and finally by the hundreds, to contact witnesses—all in Senator DOUGLAS' name.

At one time he ran up more than $300 in long-distance telephone calls to California that DOUGLAS had to pay for out of his own pocket.

Shuman always acted in Senator DOUGLAS' name. He could have done little without the Senator's encouragement and support.

One immediate achievement was to obtain the reversal of the dishonorable discharge. The conviction, however, stood.

NEW EVIDENCE—AFTER 13 YEARS

Finally, this year, Shuman made a trip to California to examine the scene of the crime.

To his astonishment he found new evidence—13 years after the event—that had apparently been overlooked by all of the military authorities assigned to the case.

Where did he find it? In the official file on the case. Shuman believes it was this new evidence that led directly to Buck's pardon.

To Shuman, there were three major areas of contention.

One was whether Buck could possibly have gotton to the place where he was arrested if he had committed the crime.

Another was, essentially, whether the chief witness against Buck—M. Sgt. Walter Franz, a military policeman—sought to pin the crime on Buck, possibly to cover his own failure to find the real criminal.

Another was whether a particularly damaging bit of "evidence" used against Buck in

his trial—involving a $50 bill—wasn't, in fact, a complete misinterpretation of what really happened.

BRIBE OFFER STARTED CASE

The case itself, as pieced together by Shuman, began on March 5, 1952—2 days before Buck was arrested.

On that day a marine master sergeant who identified himself only as "Chuck" visited Marine Supply Warehouse No. 22-S-4 at Camp Pendleton.

He spoke to Sgt. Shurlan Hatley, who was working behind the counter. He told Hatley he wanted to make a deal.

He offered Hatley a bribe of $50 if Hatley would steal some corporals' and sergeants' chevrons from the warehouse and turn them over to him. He said he knew where he could dispose of $500 worth of chevrons.

Hatley pretended to go along with the deal, but promptly reported the bribe offer to his superiors. They decided to set a trap for "Chuck" and to catch him in the act of stealing the chevrons.

Sergeant Franz, of the criminal investigation division of the post's provost marshal's office—in effect a military policeman—was to be planted at the scene of the expected crime in the warehouse.

The plan was to let "Chuck" get the chevrons in his car, so that a crime actually would have occurred, and then to make the arrest.

At first everything went according to plan. "Chuck" telephoned Hatley 2 days later, on March 7, and said he would be around to pick up the chevrons at noon "on the dot." Franz took his post.

It was raining heavily when "Chuck" showed up in his light-colored Studebaker and he had thrown a sort of shawl over his head for protection.

With Hatley's help—as Franz watched—he got three cases of chevrons into the car and drove off.

Franz quickly moved into action to catch him with the chevrons in the car, but plans started going awry.

Franz had parked his military jeep facing the wrong way outside the warehouse. He had to drive 50 yards in the wrong direction to turn around. By that time "Chuck" was speeding away in the distance.

Franz testified that he managed to keep "Chuck's" car in sight for about 3 miles—but then lost it. He was, however, still within the confines of Camp Pendleton.

He raced into a home along the route and called the camp's main gate to alert military police there to stop the fleeing car. He was just barely too late. The car was going through the gate as Franz call was answered.

By the best estimate of all concerned the time was between 12:17 and 12:20 that the car left the gate—a crucial time in the case. The record is clear that Buck was stopped no later than 12:33.

As Shuman has computed it, to have committed the crime Buck would have had to have made the trip from the camp gate to Solano Beach, where he was stopped, in between 13 and 16 minutes.

The distance is, as Shuman clocked it in a rented car, 18 miles.

"That means," says Shuman, "that he had to average between 65 and 85 miles an hour in a driving rain, at the noon hour, when traffic was heavy."

As traffic moves on this highway, Highway 101, he says, Buck would have had to have overtaken and passed 75 cars in this period.

There were, at that time, 91 intersections along the route to slow him down and either seven or eight stoplights. At least half of the distance, he computed, is built up, residential area with speed limits of less than 45 miles per hour.

If the case against Buck is sound, Shuman points out, Buck also had to dispose of the stolen goods in this period—without a trace.

He also had to change his clothes and, according to at least two witnesses, get rid of a mustache.

A key point in the case was that no evidence of the stolen goods was found in Buck's car when he was stopped. Nor was there any evidence of a shawl of the type Chuck wore over his head.

No physical evidence of any kind was ever produced to link Buck with the crime.

WEAK ALIBI WAS KEY POINT

One of Buck's basic problems from the beginning was that he was not able to supply a firm alibi. He testified that he was in Oceanside, Calif., which is near Camp Pendleton, that morning to see if he could get a camshaft on his Studebaker repaired.

The owner of the Studebaker agency in Oceanside reported last seeing Buck about 11:30 or 11:40 a.m., after setting an appointment to get the car repaired the next day.

Shuman says that if he had any remaining doubts about Buck's innocence in the case they were removed in June when he drove the route himself.

It took 27 minutes. "I know that I could conceivably have done it in 23 minutes," he says, "but it simply couldn't be done in 13 or 16 minutes."

The military men who put Buck on trial and found him guilty never tried to make the drive.

Franz quickly became the principal witness against Buck—in fact it might be said that without Franz there would have been no case at all.

Yet it was Franz who had allowed "Chuck" to escape, after a trap had been set. If there was any man in the case who had reason to want an arrest, and to get a conviction, it was Franz.

Franz insisted in sworn testimony that he had been given the name of "a man named Buck" as a possible suspect by a superior officer when the trap was being set—2 hours before the chevrons were stolen.

He also swore that he had told Oceanside police to pick up a man named Buck after the incident at the gate.

Franz, however, never came up with a corroborating witness. In fact, a military board of review that eventually went over the facts of the case stated, flatly, that there was no way that the superior officer Franz mentioned could have had Buck's name—let alone give it to Franz.

The board of review apparently did not consider this evidence of perjury sufficiently important enough to throw out the case.

In his exhaustive study of the case and his questioning of witnesses, Shuman found several persons willing to testify that another name—the name of Blackman—actually went on police radios as the man sought.

The patrolman who arrested Buck—William A. Doran—said that while he was talking to Buck in his car he overheard a message on his radio in which the name of Blackman was used as the name of the man sought.

The pattern of events suggested to Shuman that Franz had actually been seeking a man named Blackman, but may have decided to pin his hopes on Buck after Buck had been stopped.

"THERE WERE NO BLACKMANS": FRANZ

Franz, however, did introduce the name of Blackman into the case. Franz testified at Buck's trial that on the afternoon of his arrest Buck "confessed" to him—although Franz had no documentary evidence of a confession, nor any evidence beyond his word.

Franz said that Buck told him he had turned over the stolen chevrons to a man named Blackman at a rendezous points inside the Camp Pendleton gates soon after the theft.

This testimony resulted in some discussion of the name Blackman at the trial. Franz testified that while investigating the case he tried to find a man named Blackman at Camp Pendleton, but had no luck.

"There were no Blackmans, there was no record of Blackman."

It was this testimony that Shuman believes he upset on his visit to California in June of this year.

Shuman had gone to the Camp Pendleton legal office and asked for the records of the Buck case. They were handed to him in a huge stack. He took them back to his motel and began to read.

First he came across Franz' original, handwritten report on the case. Then, to his amazement, he found a bit of scrap paper—in the same handwriting—with a list of persons named Blackman.

"If there was no Blackman," asks Shuman, "why was there a list of people by the name of Blackman in Franz' own handwriting?"

Shuman went further, seeking to check out the names on Franz' list in the area, in spite of the passage of the years. He quickly came to the end of the trail.

The Blackman in the most prominent position on the Franz list, he discovered, took his own life recently.

Franz, incidentally, today is a marshal in the municipal court in Santa Ana, Calif. He refused to talk to Shuman. At one time he even ran from him.

BUCK WAS FREED AFTER CONFESSION

Franz' testimony that Buck "confessed" to him is another fasinating insight into the vagaries of military justice as it was applied to Buck.

Buck flatly denied ever making any admissions, and it is a matter of record that Franz never did reduce his charges involving the so-called confession to paper.

Shuman asks: If Franz had told his superiors that Buck had confessed—why did they release Buck after holding him for 72 hours?

The "confession" became a part of the case only after Buck had been arrested a second time.

Some of the Navy officers involved in the case told Shuman—years after the event—that they had always believed that Buck had "confessed." In their minds, Shuman found, this was all there was to it.

Even written "confessions" signed by the accused, are often thrown out of civil courts. In this case the testimony involving a confession came from a man with a strong motive for finding a culprit. And it was simply his word against Buck's.

But the "confession" apparently was accepted as valid by the military court.

A $50 BILL: EVIDENCE OR COINCIDENCE?

Of all of the circumstances that came to combine against Buck, none, in retrospect, was more damaging than a single affair involving a $50 bill.

At the time of his arrest Buck was asked to turn in all his money. He turned in $79.98 in cash and then, at the last moment, recalled that he had a $50 bill—which he called "mad money"—in a secret compartment in his billfold.

Buck gave Shuman a sworn statement 2 years ago saying that he dug out the $50 bill and handed it to the brig warden.

According to Buck, Franz was standing nearby and said: "Take the number of that bill down. It's probably counterfeit."

Buck swore that when he was released from the brig he said to Franz, who was again

standing by: "What about my $50 bill? Was it counterfeit?"

Others were present and overheard this remark.

When Buck was brought to trial this discussion about the $50 bill was used against him, with damning effect.

The prosecutor argued that Buck was actually asking Franz for the $50 that "Chuck" had given to Sergeant Hatley in the warehouse when the chevrons were taken.

The prosecution told the court that this was the "crowning glory" of the case against Buck. He later called it "the frosting on the cake."

When Shuman was in California this summer, however, he carefully examined Buck's original arrest report.

Handwritten—at the top of that report—he found the figure $79.98. Immediately under it he found the number L-000-83698—the serial number of a $50 bill and the words "50 bill."

To Shuman it was confirmation of a story that Buck had told him 2 years earlier, and reduced to a sworn affidavit.

Later on Shuman found the frosting on his cake. He found the same serial number, and the same words scribbled in Franz' own handwriting among Franz' notes.

BUCK STILL PROUD TO BE A MARINE

Buck was 39 in 1952. Today he is 52.

He lives in Seattle, where he has been operating a small and none-too-successful restaurant.

He never gave up hope that his name would be cleared. He said, too, that he refused to abandon his faith in the Marine Corps—that he is still "proud to be a marine."

Friday, Senator DOUGLAS telephoned Buck in Seattle to tell him the good news.

Buck listened incredulously as the Senator told him: "Carl, you've been granted a full and complete pardon. It's another Dreyfus case."

Sixteen years in the Marine Corps didn't prevent Buck from breaking into tears.

"God bless you, Senator," he sobbed into the telephone. "God bless you and all those who work with you."

Then Shuman took the phone—almost too excited to speak. He was grinning broadly.

"You've got to come to Washington, Carl," he said. "We've got to have a party to celebrate."

Said the President: "I * * * do hereby grant to the said Carl Hirdley Buck, a full and unconditional pardon."

[From the Seattle (Wash.) Post-Intelligencer, September 1965]

"I'M STILL A MARINE"—NAME IS CLEARED

(By Charles Russell)

President Johnson yesterday granted a full pardon on grounds of innocence to Carl H. Buck, 52, Seattle cafe owner and former Marine Corps master sergeant, who was convicted of stealing uniform chevrons in 1952.

Buck, 11204 10th Avenue South, who still considers himself a marine and has waged a 13-year battle to clear his name, received the good news in telephone calls from Senator HENRY M. JACKSON and Senator PAUL H. DOUGLAS.

Buck, originally from Illinois, appealed in 1956 to Senator DOUGLAS, Democrat of Illinois, for help. The Senator, himself a former marine, took on the case and sent an aid, Howard Shuman, to Camp Pendleton, Calif., where the three cases of chevrons had been stolen, to investigate. Shuman found proof it was a case of mistaken identity and that the sergeant had been unjustly convicted of larceny.

The telephone jangled incessantly with congratulatory calls yesterday in the Buck home, where Buck, his wife, Jeanette, and their equally happy children, Callene, 15, and Richard, 13, were gathered. Callene attends Glacier High School and Richard is a student at Glendale Junior High.

"I'm just about the happiest guy in the world," Sergeant Buck said. "Inside of me it feels just like I've been born again. Now that I've had this unjust yoke and mark removed, I'll be able to tell my son that I'm still a marine.

"And I thank God that there are men in the Senate like the six who helped in wiping out this grave injustice."

Aiding JACKSON and DOUGLAS in the long fight to clear Buck were Senators WARREN G. MAGNUSON, Washington, MIKE MANSFIELD, Montana; KARL MUNDT, South Dakota, and GEORGE SMATHERS, Florida.

"I was afraid," Buck added, "that President Johnson was so busy with so many pressing problems that he couldn't take time for a lowly sergeant's case. But he did today. I knew all along he was an honorable, God-fearing man. Now I'll be able to die a marine."

Buck's health has broken during his long fight. He said he still wishes to rejoin the Marines but that his physical condition will not permit it.

He first joined the marines on his 20th birthday and was in the corps 22 years. During World War II he was a mess sergeant. He was on Tarawa, underwent strafing by a Japanese Zero on Okinawa, and saw the LST in front of his own blown up by a kamikaze plane in the landing on Saipan.

He was chief baker at the San Diego Marine Recruit Depot when the chevrons were stolen at Camp Pendleton. He was convicted, served 11½ months in military prison, received a bad conduct discharge. In 1956 the Board for Correction of Naval Records changed the bad conduct discharge to a general discharge.

But Buck continued his fight. The family lived 3 years in Washington, D.C., and New York while he tried to clear his name.

"Ever since the kids were little it's always been, 'When Daddy wins his case,'" Mrs. Buck explained. "It seems as though we've always been waiting for this day. This has been our whole life. Today a load has been taken off us."

[From the Seattle (Wash.) Times, Sept. 11, 1965]

FORMER MARINE HOLDS NO GRUDGES AFTER PRESIDENT CLEARS HIS NAME

The world of Carl H. Buck today had no space for grudges or animosity.

Buck, 52, a Boulevard Park restaurant owner, yesterday received a Presidential pardon from a 1952 military court conviction which resulted in his expulsion from the Marine Corps.

"I just feel wonderful," Buck said today. "I can't tell you how good it is to get this off my back.

"I never had anything against the Marine Corps and I still don't. It's the greatest outfit."

In 1952 Buck was convicted of stealing three cases of military chevrons worth $496 at Camp Pendleton, Calif.

Buck, a career marine with 18½ years of service including action at Okinawa and Saipan in the Second World War, was jailed for 11½ months and later given a bad-conduct discharge.

But the sergeant insisted upon his innocence and convinced a number of Senators, including HENRY M. JACKSON and WARREN G. MAGNUSON of Washington, and PAUL DOUGLAS, of Illinois, Buck's home State.

Buck said his case went to the White House during President Eisenhower's administration. President Kennedy ordered an investigation, but it was halted by Mr. Kennedy's death.

In announcing the pardon, President Johnson said, "It has been made apparent to me that Buck was unjustly convicted of the offense and is innocent of the charge."

Mr. Johnson observed that Buck had exhausted all recourse to the courts.

Buck, who resides at 11204 10th Avenue South, said the conviction was due to mistaken identity.

The case was subjected to constant military review over the years. In 1956, the Board of Correction of Naval Records changed his bad-conduct discharge to a general discharge. But that wasn't enough for Buck.

Buck has lived here 7 years. He worked in bakeries before opening the restaurant at Des Moines Way South and South 120th Street in 1960.

Buck expects to recover some pay he lost during his last months in the corps and to qualify for military retirement pay.

Buck and his wife have a daughter, Callene, 15, a pupil at Glacier High School, and a son, Richard, 13, a pupil at Glendale Junior High School.

Buck never lost confidence.

"I didn't know when this would happen—this year, or when—but I knew that when I got a hearing I would be exonerated," Buck said.

Buck said the East Lake Washington Chapter of the Disabled American Veterans backed his campaign.

Stan Vorachek, chapter commander, said the State D.A.V. unit and the national group adopted resolutions supporting Senator DOUGLAS in his campaign to clear Buck's name.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON ADDITIONAL RESEARCH LABORATORY SPACE AT THE UNIVERSITY OF DENVER, COLO.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on the provision of additional research laboratory space at the University of Denver, Denver, Colo. (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

REPORT ON OVEROBLIGATION OF AN APPROPRIATION

A letter from the Administrator of Veterans Affairs, Veterans' Administration, Washington, D.C., reporting, pursuant to law, on the overobligation of an appropriation in that Administration; to the Committee on Appropriations.

AMENDMENT OF TITLE 10, UNITED STATES CODE, RELATING TO RETIREMENT PAY FOR CERTAIN MEMBERS OF THE UNIFORMED SERVICES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, relating to the adjustment of retire pay and retainer pay of members of the uniformed services to reflect changes in the Consumer Price Index, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

REPLY TO REPORT OF ACTING COMPTROLLER GENERAL

A letter from the Director, Congressional Liaison, Agency for International Development, Department of State, transmitting, for the information of the Senate, a copy of that Agency's reply to a report of the Acting Comptroller General relating to follow-up examination on certain aspects of U.S. assistance to the Central Treaty Organization for a rail link between Turkey and Iran (with an accompanying paper); to the Committee on Government Operations.

REPORT ON TORT CLAIMS PAID BY SMITHSONIAN INSTITUTION

A letter from the Acting Secretary, Smithsonian Institution, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Institution, during the fiscal year 1965 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON TORT CLAIMS PAID BY GENERAL SERVICES ADMINISTRATION

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Administration, during fiscal year 1965 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS

The PRESIDENT pro tempore laid before the Senate four petitions, signed by Giko Maeda, Mayor, Yabu-Son Office, Akira Okamura, Mayor of Kin Son, Koho Arakaki, Mayor of Gushikawa-son, and Shizen Toma, Mayor of Sashiki-Son, all of the island of Okinawa, praying for the enactment of legislation for damages caused by the U.S. Armed Forces in the Ryukyus, which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PASTORE, from the Committee on Appropriations, with amendments:

H.R. 10871. An act making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes (Rept. No. 708).

REPORT ENTITLED "OPERATION OF ARTICLE VII, NATO STATUS OF FORCES TREATY"—REPORT OF A COMMITTEE (S. REPT. NO. 707)

Mr. ERVIN. Mr. President, on September 2, 1965, the full Committee on Armed Services approved the annual report entitled "Operation of Article VII, NATO Status of Forces Treaty," together with other jurisdictional operations, for the period December 1, 1963, through November 30, 1964.

I submit to the Senate this report and ask that it be printed, with illustrations.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Without objection, the report will be received and printed, as requested by the Senator from North Carolina.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated September 2, 1965, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. PASTORE, from the Joint Committee on Atomic Energy:

Glenn T. Seaborg, of California, to be the representative of the United States of America to the ninth session of the General Conference of the International Atomic Energy Agency;

Henry DeWolf Smyth, of New Jersey, John Gorham Palfrey, of New York, James T. Ramey, of Illinois, Verne B. Lewis, of Maryland, and Kenneth Holum, of South Dakota, to be alternate representatives of the United States of America to the ninth session of the General Conference of the International Atomic Energy Agency.

BILLS INTRODUCED

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

By Mr. SALTONSTALL:

S. 2515. A bill for the relief of Nieves Pintos Montes; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 2516. A bill to amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States; to the Committee on Government Operations.

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

By Mr. McNAMARA (by request):

S. 2517. A bill to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. DIRKSEN:

S. 2518. A bill to incorporate Junior Achievement, Inc.; to the Committee on the Judiciary.

By Mr. PASTORE:

S. 2519. A bill for the relief of Sister Mary Cecilia (Leonie Esquivel); to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 2520. A bill to authorize the Secretary of Housing and Urban Development to make loans for the provision of urgently needed nursing homes; to the Committee on Banking and Currency.

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

By Mr. PEARSON (for Mr. SCOTT):

S. 2521. A bill to permit the mailing by State motor vehicle authorities of certain matter as third-class mail; to the Committee on Post Office and Civil Service.

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

By Mr. FONG:

S. 2522. A bill for the relief of Teodoro A. Ramel; to the Committee on the Judiciary.

By Mr. HART:

S. 2523. A bill for the relief of Dr. Nasser Barkhordari and his wife, Susan Barkhordari; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 2524. A bill to prohibit the transportation or shipment in interstate commerce of master keys to persons prohibited by State law from receiving or possessing them; to the Committee on the Judiciary.

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

AMENDMENT OF FEDERAL EMPLOYEES' COMPENSATION ACT

Mr. McNAMARA. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes. I ask unanimous consent that an explanation of the bill be printed in the RECORD, as a part of my remarks.

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

The bill (S. 2517) to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes, introduced by Mr. McNAMARA, by request, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The explanation presented by Mr. McNAMARA is as follows:

STATEMENT IN EXPLANATION OF THE "FEDERAL EMPLOYEES' COMPENSATION ACT AMENDMENTS OF 1965"

INTRODUCTION

This bill proposes improvements in the Federal Employees' Compensation Act which move toward an updating of workmen's compensation protection for Federal employees and their survivors to the basis the act is intended to furnish. The major deficiency of the Compensation Act, which the bill would supplement, is an increased maximum compensation limit, to take the place of the existing limit which was set in 1949. At that time the top salary for Presidential appointees was $15,000 a year and for classified employees $10,330. Parallel salaries are now $35,000 and $24,500.

The maximum monthly compensation would be increased by this bill from $525 to $685 a month, and the minimum from $180 to $210.

Under the bill present beneficiaries of the act are authorized to receive an increase in their benefits commensurate with the annual average percentage change in the Consumer Price Index since the year in which the benefits were awarded, offset by any increases authorized by Congress since the award.

In survivor cases, the bill authorizes the continuation of benefits for educational purposes to unmarried children after the age of 18 up to age 23. The bill also permits these payments up to age 23 to children who became 18 before the effective date of the proposed act.

Increase of present maximum and minimum compensation

The present dollar maximum of $525 a month was established in 1949. Between 1949 and 1964 Government earnings have increased 80 percent and over this period the consumer price index shows an increase of 31 percent. Manifestly, the maximum of $525 does not carry out the intent of the act that employees generally may receive up to 75 percent of their basic compensation if

they are totally disabled. This proposal alleviates this situation by increasing the present dollar maximum to $686 a month, a figure which takes into account the increase in the consumer price index. This would permit all employees making $10,960 (the equivalent of a GS–11, step 8, or a GS–12, step 3) or less, to receive benefits up to the 75-percent maximum of basic monthly compensation which the act authorizes. Available information indicates that 93 percent of all Federal workers are in this category.

The Compensation Act now provides a minimum compensation amount of $180 per month and that totally disabled employees whose monthly pay is less than this amount shall be entitled to full pay. The bill would increase the minimum amount to $210 a month, approximately the same income which would be earned in a 40-hour work week at the minimum wage rate of $1.25 an hour required under the Fair Labor Standards Act. The minimum in the Compensation Act was increased in 1960 to the present amount. With today's living costs, it is believed that employees making $210 a month or less would not be able to subsist on 75 percent of their earnings and that, therefore, their entire earnings should be paid during total disability. Only a few thousand blue collar employees fall within a wage bracket so low they would be affected by this provision. The minimum rate for white collar employees under the Classification Act—employees in GS–1, step 1, receive $3,385, or approximately $280 a month.

The bill also amends section 6(a)(1) to increase from $420 to $546 the limit upon the amount of an employee's basic pay which may be considered in computing additional compensation because of dependents.

Increase of compensation under previous awards

The last increase authorized for previously adjudicated compensation awards was for injuries occurring prior to January 1, 1958. As a matter of equity, the bill authorizes an increase in previous awards on a basis related to the increased cost of living. These awards are to be adjusted on the basis of the annual average change in the Consumer Price Index as determined by the Secretary, since the award was made, offset by any increase authorized by Congress since the award adjudication.

Authority to continue benefits on account of surviving children for school attendance

The bill also permits in survivor cases, the continuation of benefits to unmarried children after the age of 18 to permit completion on a full-time basis of their program of education at an educational institution as such terms are defined by the Secretary. At present, payment of these benefits is terminated at age 18 unless the beneficiaries are disabled. This age occurs when most children are finishing high school, many of whom may wish to enter college. The increased family financial need could be alleviated and education encouraged if the survivor payment continues until such time as the child could normally finish college (i.e., the age of 23).

To prevent inequities with respect to children who become 18 before the effective date of this act and who might otherwise qualify for the continuation of benefits, the bill authorizes payment of compensation on their account until the age of 23 or the completion of their education, whichever is earlier. This amendment would also bring the Compensation Act in line with a similar program of the Veterans' Administration for continuation of benefits of war orphans.

The continuation of compensation for educational reasons is not only dictated by principles of justice and equity, but is socially and economically desirable in our society which regards the education of offspring as one of the breadwinner's primary responsibilities.

Improvement in administrative provisions

A technical amendment is proposed to transfer a substantive item from the Department of Labor Annual Appropriations Act to the Compensation Act. For many years, the appropriations acts of the Department have provided that the rulemaking authority of the Secretary of Labor under the Federal Employees' Compensation Act be construed to include the authority to establish the nature and extent of proofs and evidence required in compensation claims of certain noncitizens and nonresident employees employed outside the United States.

Technical provisions

The bill also makes clear that it applies only to persons who are "employees" under the act; that no reduction in compensation by reason of Consumer Price Index changes is authorized; that no previous compensation award shall be increased by more than this change; and that all payments authorized pursuant to the bill will be on a prospective basis.

LOANS FOR NURSING HOMES

Mr. WILLIAMS of New Jersey. Mr. President, not long ago, we enacted the medicare program which will serve as a milestone attesting to this country's commitment to meeting the health needs of our elderly. But the medicare program is only one front on the war against ill health and the problems of the aged. Enactment of this legislation has revealed inadequacies and weakness in other segments of the total medical care picture.

Under the provisions of medicare, those over 65 who are eligible for coverage are entitled to 100 days of extended, nursing home care in an accredited institution. This benefit may be received either as an alternative or as a supplement to the 90 days of hospitization which also provided under the bill.

I do not think I need to detail here the appalling shortage of hospital facilities in this country. In the past few weeks—spurred on, I am sure, by the situation made apparent by medicare—numerous magazine articles, television programs, and newspaper stories have called attention to the dreadful state of our hospitals. Characterized by a shortage of buildings, beds, doctors, nurses, and money, the situation in hospitals has truly reached crisis proportions.

Because of the impossibility of providing sufficient in-parent hospital services to all who may need them, an extraordinary demand will be created in the next few years for nursing home care and services under the medicare benefits. But the quantity and quality of nursing home facilities is not significantly more encouraging than that of hospitals.

There are now about 25,000 nursing homes in the United States with more than one-half million beds. These facilities range all the way from the small family residence with only a few beds to the multimillion dollar structure with hundreds of beds. In function they range from the relatively few providing an active organized medical care program to those providing purely domiciliary care. They are predominately privately owned and operated for profit.

The Public Health Service, in recent studies, reached the shocking conclusion that about 40 percent of the existing nursing home beds are substandard and unacceptable. Thus, of the 500,000 beds we do have, at least 200,000 of them are not fit for the use of our elderly citizens.

At least 500,000 new nursing home beds, it has been estimated by the Public Health Service, will be needed in the next few years to replace the substandard ones and to provide an adequate supply of new ones. Past history has shown that there is little prospect of meeting this need without leadership and encouragement from the Federal Government.

Most nursing homes are proprietary and have been largely financed from private sources. Since proprietary nursing homes are profitable ventures, there seems to have been little difficulty in financing these institutions. Over the past several years, the Small Business Administration has made numerous loans for the construction of proprietary nursing homes.

Nonprofit nursing homes have constituted a relatively small percentage of the total. They are mostly owned and operated by churches, fraternal organizations, local governments, and increasingly by nonprofit hospitals. Here the financing has been far more difficult.

The source of Federal funds has been the much-needed Hill-Burton program. For many years the amount authorized for this purpose was only $20 million per year. Last year, under the Hill-Harris amendments, the amount for nursing homes was finally increased to $70 million. The housing and home finance program was also amended last year to permit guaranteed loans to nonprofit nursing homes.

Since the beginning of the Hill-Burton program, 667 nursing homes with 36,275 beds have been built under the program. These nursing home facilities have met the highest standards. Unfortunately, both restrictions in the act and limitations placed by the States have sharply limited the amounts of Federal aid. For example, the 667 nursing homes constructed with Hill-Burton aid cost a total of $437,381,000 of which only $147,869,000 was Federal money.

The cost of nursing homes, both for construction and operation, is much less than that of general hospitals. Those constructed under the Hill-Burton program in 1964 averaged between 12 and 13 thousand dollars per bed or less than one-half the cost of new general hospitals. Operating costs vary greatly depending on the quality of care, but even in the better homes, it is less than one-half the cost of hospitals.

There is every reason to believe that the Public Health Service estimate of a need for 500,000 beds errs on the conservative side. Certainly the demand has been increasing even more rapidly in recent years even though the cost of care has not been generally covered by private hospitalization plans. Numerous factors make it likely that the demand will continue to increase even more

rapidly. The life span will continue to increase. More money is coming into the hands of elderly people through social security and pension plans. The increasing cost of hospital care provides a strong incentive to get patients out of hospitals and into nursing homes as soon as possible. The effect of the social security amendments, titles 18 and 19, on the demand for nursing home beds is certain to be tremendous. The State Hill-Burton agencies have estimated that, to replace the 200,000 substandard beds now in existence and to meet the increasing overall need, we will need to build 514,000 new nursing home beds to meet present known needs.

As a member of the Subcommittee on Health and the Special Committee on Aging, I have paid close attention to the problems relating to our elderly and their health needs. I am particularly disturbed, in this field of nursing homes, about the very great preponderance of proprietarism. While I am convinced that the proprietary nursing homes have contributed valuable services up to this date, I do feel that it is in the best interests of the individual patient and the public at large, for nonprofit institutions and agencies to take a much larger role in nursing home operations than they have in the past.

It is undoubtedly true that the lack of funds for construction and the lack of assurance of operating income from long-term patients has retarded the development of nonprofit nursing homes in the past. The new Medicare Act, which assures a return of operating costs for the care of elderly patients, will remove one of the hindering factors. In my opinion, only the lack of adequate funds for construction stands in the way of a spectacular expansion of nonprofit institutions into the nursing home field.

While the Hill-Burton program will continue to provide an important segment of the nursing home expansion in the public and voluntary areas, it cannot be expected to fill the whole gap. Even so, the relatively small percentage of Federal funds allotted to each project places a heavy debt burden on the sponsors with resulting high debt servicing costs. These are beyond the ability of most nonprofit sponsors to carry.

To remedy this situation, I am today introducing legislation which will establish a 2-year program of low-interest Federal loans for construction of properly accredited nursing homes. These loans will be made only to private nonprofit corporations, limited dividend corporations and public agencies.

As a member of the Housing Subcommittee, I have watched the successful progress of the 202 direct loan program of housing for the elderly which I had the pleasure of originally sponsoring. And in certain respects, it has served as a model for the program I am introducing today. We have found that use of the direct loan program, now pegged at the rate of 3 percent, has proven to be a highly effective and economical mechanism for stimulating nonprofit sponsors and limited dividend corporations in their plans for construction of residential housing for the elderly. A similar program—aimed at filling the need for new nursing homes—will provide the necessary funds and low financing charges which will enable the nonprofit sponsors to build the nursing homes we so urgently need.

Because of the particular problems associated with building acceptable, standard nursing homes, I have included the requirement that applicants for this loan program meet the standards set down for nursing homes under the medicare legislation.

I am asking that Congress authorize $50 million for the first year of this new program and $100 mililon for its second year.

Mr. President, I ask unanimous consent that this bill lie on the table for 1 week for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from New Jersey.

The bill (S. 2520) to authorize the Secretary of Housing and Urban Development to make loans for the provision of urgently needed nursing homes, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Banking and Currency.

PERMISSION FOR MAILING BY STATE MOTOR VEHICLE AUTHORITIES OF CERTAIN MATTER AS THIRD-CLASS MAIL

Mr. PEARSON. Mr. President, on behalf of the Senator from Pennsylvania [Mr. SCOTT], I introduce, for appropriate reference, a bill to amend the United States Code so that vehicle registrations, driver's license applications, and notices of driver's license renewals which now require postage at the first-class rate can be mailed by the States at rates charged for third-class mail.

The bill conforms with a proposal of the National Governors' Conference which was held in Minneapolis last month. It would constitute a direct form of Federal aid to the States, unencumbered by any of the carrying charges required to pay the middlemen in Washington when the Federal Government first taxes the States, and then returns funds in the forms of grants. It would help the States to help themselves.

Prompt consideration of this legislation is urged.

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

The bill (S. 2521) to permit the mailing by State motor vehicle authorities of certain matter as third-class mail, introduced by Mr. PEARSON (for Mr. SCOTT), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

AMENDMENTS OF CONVENTION OF INTERGOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the Senate remove the injunction of secrecy from Executive H, 89th Congress, 1st session, amendments to articles 17 and 18 of the Convention of the Intergovernmental Maritime Consultative Organization, and that the amendments, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to acceptance, I transmit herewith amendments to articles 17 and 18 of the Convention of the Intergovernmental Maritime Consultative Organization, which amendments were adopted on September 15, 1964 by the Assembly of the Intergovernmental Maritime Consultative Organization at its second extraordinary session, held at London from September 10 to 15, 1964.

The amendments, which relate to the composition of the Council of the Intergovernmental Maritime Consultative Organization, enlarge the membership of the Council from 16 to 18, provide for a more democratic method of electing such members, and insure a more equitable geographic representation on the Council.

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the amendments.

I recommend that the amendments be given favorable consideration by the Senate.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *September 13, 1965.*

FOOD AND AGRICULTURE ACT OF 1965—AMENDMENTS

AMENDMENT NO. 445

Mr. ROBERTSON submitted an amendment, intended to be proposed by him to the amendment (No. 441) to be proposed by Mr. BREWSTER to House bill 9811, the Food and Agriculture Act of 1965, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 446

Mr. AIKEN (for himself and Mr. WILLIAMS of Delaware) submitted an amendment, intended to be proposed by them, jointly, to House bill 9811, the Food and Agriculture Act of 1965, which was ordered to lie on the table and to be printed.

AMENDMENT OF TITLE V OF THE INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949, RELATING TO CERTAIN CLAIMS AGAINST THE GOVERNMENT OF CUBA—AMENDMENT

AMENDMENT NO. 447

Mr. SPARKMAN submitted an amendment, intended to be proposed by him, to the bill (S. 1826) to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. PELL. Mr. President, I ask unanimous consent that the name of the dis-

tinguished Senator from Delaware [Mr. BOGGS] be added at the next printing as a cosponsor of Senate Joint Resolution 16, which grants the consent of Congress to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a contract to establish a multistate authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICES OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that on September 8 the Senate received the nominations of Mr. John H. Burns, of Oklahoma, to be Ambassador to Tanzania, and Mr. Richard H. Davis, of the District of Columbia, to be Ambassador to Rumania.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

Mr. President, as chairman of the Committee on Foreign Relations, I desire also to announce that today the Senate received the following nominations:

U. Alexis Johnson, of California, to be Deputy Under Secretary of State for Political Affairs.

The following-named persons to be Representatives of the United States of America to the 20th session of the General Assembly of the United Nations:

Arthur J. Goldberg, of Illinois.

Charles W. Yost, of New York.

BARRATT O'HARA, U.S. Representative from the State of Illinois.

PETER H. B. FRELINGHUYSEN, U.S. Representative from the State of New Jersey.

William C. Foster, of the District of Columbia.

The following-named persons to be alternate representatives of the United States of America to the 20th session of the General Assembly of the United Nations:

James M. Nabrit, Jr., of the District of Columbia.

JAMES ROOSEVELT, U.S. Representative from the State of California.

Mrs. Eugenie Anderson, of Minnesota.

William P. Rogers, of Maryland.

Miss Frances E. Willis, of California; and the nomination of Mrs. Marjorie McKenzie Lawson, of the District of Columbia, to be the representative of the United States of America on the Social Commission of the Economic and Social Council of the United Nations.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

THE INFORMATIONAL MEDIA GUARANTEE FUND PROGRAM OF THE U.S. INFORMATION AGENCY

Mr. DODD. Mr. President, I note with great pleasure the introduction of a bill, S. 2256, to revise the structure of the informational media guarantee fund program of the U.S. Information Agency.

This program has been in effect since 1948, having been stimulated by findings of a joint congressional committee which had exhaustively studied the U.S. overseas information program. The purpose of the program is to advance the U.S. national interest by the overseas sale, through private channels, of U.S. informational media, including books, magazines, newspapers, and motion pictures.

To achieve that end, the Government guarantees to American exporters, where necessary, the convertibility of foreign exchange obtained by sales of their products.

The Subcommittee on State Department Organization and Public Affairs of the Committee on Foreign Relations issued a report in 1958 supporting this program. The chairman of that subcommittee was the distinguished Majority Leader, the senior Senator from Montana.

I have supported this program in the past as an exceedingly effective way of getting American books and magazines into some key countries, where there is no possibility of placing them there through normal commercial channels.

The program is now operating in Afghanistan, Guinea, Korea, Pakistan, Poland, Turkey, Vietnam, and Yugoslavia. U.S. publications are purchased in these countries by consumers who want them and are willing to pay for them. Magazines thus acquired carry little of the propaganda taint usually ascribed to Government publications.

S. 2256 appears to be designed to expand the scope and effectiveness of the informational media guaranty fund program, in order to permit it to operate in the many other countries where information about the United States is needed and where exporters encounter difficulties.

The spring 1965, issue of the George Washington magazine contains an excellent and thoughtful article by Edgar R. Baker, a vice president of Time Inc., entitled "The American Magazine Overseas." In that article, Mr. Baker pays tribute to the informational media guarantee program and points out that:

> It has enabled U.S. magazines to seek out readers in countries otherwise closed to them by exchange restrictions and thus deserves great credit for helping establish U.S. magazine footholds in strategically important nations.

I ask permission to insert appropriate portions of the article in the RECORD at this point.

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

THE AMERICAN MAGAZINE OVERSEAS

(By Edgar R. Baker)

A short while ago, when the foreign minister of Red China arrived at a meeting in Peiping with the President of Pakistan, he brought several things: dossiers and notes, assistants and translators—and, under his arm, the current issue of Time with his portrait on the cover.

What was said about Time by the minister to the President (himself a former cover subject) is not known and not really important. What is to be noted is that American magazines like Time are as well known and read in great cities of the world like London and Buenos Aires, Milan, and Melbourne, as they are in Washington and New York.

It is also interesting to note that the copy of Time carried by the foreign minister was probably 1 of 50 regularly purchased by Chinese agents from a certain newsstand in Toyko and flown to Peiping via diplomatic pouch. Time and other American magazines are not allowed to reach the public behind the Bamboo Curtain.

Despite only selective distribution in Communist countries behind whatever curtains, the combined circulation of American magazines in some 150 other countries now amounts to about 17 million copies per issue—a foreign circulation vastly greater than the home circulation ever achieved by the magazine industry of any other country.

Several points should be made about this world penetration of American magazines.

First, it has been brought about by private enterprise without Government subsidy. Magazines published by the U.S. Information Service for distribution in Iron Curtain countries are not included in my figures. It should be acknowledged, however, that for some years the Department of State has operated the information media guarantee program (IMG) under which State, for a fee sufficient to cover its expenses, redeems for dollars various local currencies which publishers themselves cannot convert. Although this program never covered more than 2 or 3 percent of overseas circulations, it has enabled U.S. magazines to seek out readers in countries otherwise closed to them by exchange restrictions, and thus deserves great credit for helping establish U.S. magazine footholds in strategically important nations.

Secondly, American magazines have been able to attract audiences all over the free world because the English language is becoming more and more the lingua franca of educated people. English is required or recommended as a second language in most of the free world's secondary school systems. More and more foreign students are coming to the United States for higher education—some 70,000 this year. English is the unofficial language of international business.

The third point is that much of the thrust of American magazines has been exerted since World War II. National Geographic, it is true, has had readers abroad since 1888, but most of its 650,000 foreign readers have been added in the past 20 years. Reader's Digest has published editions in other languages since 1940. But it was not until during and after World War II that the weekly and fortnightly news magazines moved energetically overseas.

At the time he announced the formation of Times-Life International in September 1945, Henry R. Luce declared that "America as a nation and we as journalists can no longer afford to be apart from the world." On the theory that men who are continually informed about others are less likely to make war upon them, he committed the new division to make American ideas and attitudes as reflected in Time and Life available to all who wished to know them. Hopefully, but secondarily, he wanted the job done at a profit.

There was no immediate prospect of financial gain at the time of this decision. Much of Europe and Asia were in ruins. There was small reader ability to pay, and smaller immediate prospects of advertising income. For several years losses were substantial, but the

enterprise has been constantly profitable since 1949.

What American magazines are now most popular overseas? They divide generally into three major categories: general magazines, news magazines, and business-professional-industrial magazines.

The most popular general magazine overseas is, of course, the Reader's Digest, which sells about 10½ million copies per month through 29 basic international editions in 14 languages. The Digest varies in content from country to country, but nothing is published overseas which has not already appeared in the U.S. edition. Since the Digest derives much of its content from other American magazines, scores of additional titles are thus given representation abroad which they would not have otherwise.

Reader's Digest is followed overseas (admittedly at some distance) by two international editions of Life whose combined circulation approximates 900,000 every other week. English-language Life International, printed in Paris, has the distinction of being the only general magazine specifically edited for a world audience. To the average 50 percent of content derived from material appearing in the U.S. edition, Life International adds articles and picture essays of cosmopolitan interest. It tends to be more literary than the Life we know here, and is generally more cerebral. The fact that it has found a distinguished audience wherever men are free to choose their reading matter attests to both the universality of English and to the existence of what I like to call "a world community of curious minds."

Life en Español, first published in 1953, has long since won a succès d'estime as Latin America's most prestigious popular magazine. It too derives perhaps 50 percent of its editorial content from the U.S. Life and creates additional material of particular interest to the Spanish-speaking world.

Popular Mechanics, appearing in seven languages, is bought each month by about 530,000 foreign readers who share the American penchant for learning how it's done.

Two service-club magazines of general interest have substantial circulation abroad. The Rotarian in English is read by some 80,000 families, and by more than 40,000 in Spanish. The Lion Magazine reaches close to 70,000 in English and more than 40,000 in Spanish.

Taken together, U.S. general magazines with international editions reach more than 12 million foreign families with a single issue. To these must be added the more than 1½ million foreign circulation of the regular domestic editions of scores of other general interest magazines. In addition to National Geographic, which leads the group, practically every favorite magazine here has fans abroad as well; Saturday Evening Post, Ladies Home Journal, Look, McCall's, Esquire, Seventeen, the New Yorker, Popular Photography, Fortune, Scientific American, and many others. A recent dispatch from Thailand reports that Playboy is selling like hot egg rolls in Bangkok as it does in most areas of the world.

The second major category of international U.S. magazines—and the category which probably exerts most influence on the attitudes of readers—is that of the news magazines: Time, Newsweek, U.S. News & World Report, Visión (in Spanish) and Visão (in Portuguese).

Time is the leader in the news magazine category, with a weekly circulation of over 800,000 concentrated among the most influential people of the free world. Time could be called an export magazine in the sense that its editorial content (except for the Canada edition, which has added local news) is identical around the world—and in Time English, too. It is printed in five foreign cities to speed distribution, but nothing is changed, added or deleted for foreign consumption. Thus Time readers overseas are almost literally looking over the shoulders of American readers to find out what American editors think of the world that week—and, surprisingly often, to find out what's really going on in their own countries.

Right after Time come the international editions of Newsweek. Europe, Africa, and the Middle East are served by an edition printed near London. The Far East and southeast Asia are served by a Pacific edition printed in Tokyo. Canada and Latin America are served with the U.S. edition.

Like Time, Newsweek's editorial content is substantially the same the world over. Total circulation outside the United States exceeds 240,000 per week.

U.S. News & World Report does not publish international editions as such, but finds an audience of some 34,000 per issue overseas. Some copies are delivered by airmail.

Visión is a fortnightly news magazine in the Spanish language with particular orientation toward Latin American businessmen. It is printed both in Mexico and Chile and enjoys a circulation of some 155,000. A weekly edition in Portuguese, printed in Brazil and including special local content, has a circulation of some 65,000.

The last major category of U.S. magazines circulating abroad is by no means the least. So-called export business magazines (many in Spanish and most distributed free of charge) have a per-issue circulation in excess of 800,000. Other business, technical, and trade publications published primarily for U.S. audiences but "overflowing" abroad number more than 600 (from Adhesives Age to the Writer) and reach more than 700,000 readers abroad with one issue. And finally, well over 100 scholarly periodicals, led by those in the social sciences and the humanities, find an overseas audience of more than 70,000 per issue.

What accounts for this prodigious popularity of all sorts of American magazines in other countries? Many reasons, I think, and reasons varying by country.

In smaller nations where a local press has not been established, or whose orientation is perhaps a bit parochial, American magazines find readers because American publishers have been aggressive enough to make them available to help fill the homegrown vacuum.

In countries with a flourishing local press, American magazines seem to be bought for news and views of America, for general foreign news not available through local media, for the smart way in which American magazines are edited, and for the generally superior style in which they are produced. (Robert Benchley could hardly say today of any edition of Time, as he did of the first issues in 1923, that the magazine appeared to be printed on slices of stale bread.) J. S. Chaloner, manager of Britain's largest magazine distribution firm and a participant in the founding of Germany's famed Der Spiegel, passes along the view of a professional: "If the price of imported magazines is higher than the domestic equivalent, it must be said bluntly that far too often so is the editorial quality, the production, and number of pages."

The exigencies of distributing almost 3 million magazines a fortnight number scarcely less than 3 million themselves. The documents (invoices, bills of lading, customs declarations, etc.) necessary to cover distribution of single issues of Time and Life weigh about 100 pounds.

Time originates in six locations for foreign distribution: in Montreal for all of Canada; in Atlanta, Ga. (since Castro closed down our Cuban plant) for Latin America; in Paris for Europe, the Middle East and Africa; in Tokyo for the Far East; in Melbourne for Australia and, just recently, in Auckland for New Zealand. Time is printed in these cities by offset plates made directly from special film flown from Chicago. Distributed by air (we are one of the five largest users of international air freight) Time is in the hands of readers in all the principal cities of the world no later than the date on its cover and generally several days before.

Life International and Life en Español, printed on heavy stock, are delivered mostly by surface transport. Life en Español, printed in Chicago on the same presses that produce Life United States, travels by train to Mexico and thence by ship and truck to readers throughout Latin America. Life International travels from its printing point in Paris by air and rail throughout Europe, by ship elsewhere.

About half the circulation of Time and Life overseas is by subscription, paid for in some 30 currencies. There are banking and remitting facilities in every major country which enable the reader to order a subscription by writing a personal check on his local account.

In years past, getting pesetas out of Spain, pounds out of England, zlotys out of Poland or most anything from almost anywhere was one of our most frustrating problems. At one time, I remember, we thought of buying Dutch guilders with exchangeable other moneys, using the guilders to buy Dutch cheese, then importing the cheese to the United States and selling it by the chunk to gourmets. Today our exchange problems are relatively few, probably the greatest of them being galloping inflation in much of Latin America.

Censorship and discriminatory practices have plagued us since Time first flew to Latin America in 1941. Mr. Peron, of Argentina forbade us entry for some 6 years—thus creating a flourishing black market in copies sneaked in from Uruguay. Mr. Trujillo of the Dominion Republic liked us even less than we did him. The late ex-King Farouk of Egypt banned us for lese majeste shortly before he was banished for much the same thing. Spain maintains two sets of censors: one operated by the church, the other by the state. Both frown on opulent ladies whether painted by Rubens or photographed by Eisenstaedt. Most of the Arab countries, refusing to recognize the existence of Israel, either ban issues with editorial or advertising content mentioning that country or set their censors to work with shears removing the offending pages. Ireland smiles on most that we offer, but grimaces at advertisements for ladies' undergarments.

None of our magazines, of course, is allowed to circulate in Russia, although a few dozen subscription copies go in to top officials. Periodically we are allowed to open a news bureau in Moscow, but it is ordered closed and our correspondents banished when they work too embarrassingly at their trade. Some of Russia's satellites allow us in for a time and then as mysteriously allow us out. In Red China Time has a circulation of one, Life of none, although the Government keeps the Winter Palace supplied by pouch from Tokyo. Mr. Sukarno of Indonesia has banned us since 1961. He disliked many things in Time's reporting, including the fact that he liked girls. He still dislikes Time, and there is still no evidence that he dislikes girls.

During the Algerian crisis, Time had a highly unfavorable cover story on General Salan, one of the dissenting French commanders who wanted to keep the French grip on Algeria. Salan was pictured in front of a desert, and in the sand was written his slogan: "Algérie française." When the cover came off press in Paris, the French Minister of Information, perhaps fearful that our cover would be misinterpreted as favoring Salan's cause—"Après tout, c'est lui sur la couverture, n'est-ce-pas?"—caused us to

block out the illustration with green ink before allowing copies to go on sale. Result, of course: a sellout but no insurrection.

Matters of censorship, distribution and advertising, complicated as they may be, are nevertheless routine matters in international publishing. To survive, and to progress, management must look beyond the present to a hopefully better tomorrow.

It is obvious, when we stand back, that the penetration of English-language magazines in countries speaking something else is limited to the better educated and to those with broad curiosity. The number of such readers increases with the years as population and sophistication increase, but this still leaves untouched the minds of the majority. The question arises: Should we, as publishers, remain content with reaching only the leadership group, or should we publish in local tongues?

Our experiments along this line began 25 years ago with an attempt to put Time into Spanish. Translation was easy enough (although the Spanish ran 20-percent longer than Time's terse English) but the result was no longer Time. A North American frame of reference does not become a South American frame by being put into Spanish. It remains North, and seems inappropriate in Castilian. So the experiment was dropped. Some years later, as we've seen, Life en Español was born—and it was produced from the first by writers and editors born to the Latin frame.

Three years ago last April we announced a new approach to publishing in other languages. We formed an equal partnership with Italy's leading magazine publisher to produce Panorama. To the editors of this new monthly we offered the entire editorial product of Time Inc. After 2½ years of publication, the Italian Panorama has evolved as intended into a magazine for world-oriented Italians. Its editors draw from Life, Time, Fortune, Sports Illustrated, and the wealth of other stories in the file of our worldwide correspondents. They also develop material about Italy itself, thus combining in one magazine both the local and the global point of view—and all within the Italian frame of reference.

Panorama Italy fared well enough so that we have since started a counterpart in the Spanish language in Argentina. Though produced under the same governing idea, this Panorama is distinctly different—reflecting a different national point of view and the different personalities of its editors. We are now investigating other possible Panoramas in other languages.

Along similar lines, we are now copublishers in Japan of a business-oriented magazine called President. Based essentially on Fortune magazine, President reports on the stratosphere of world business as well as the toposphere of business, Japanese style. President's great success in a country whose economic philosophy so closely approximates our own has led to investigation of other Presidents elsewhere.

This, then, is the American magazine overseas, at least it seems to my particular experience. I have been part of this fascinating business for 20 years and have yet to experience a single day when it did not offer challenge and opportunity. For here is not merely a business engaged in for profit. The vast majority of American magazines circulated in other countries are sources of information and means of education for those who read them. They speak facts, they entertain, they broaden horizons. They seek out, with complete disregard of national boundaries, like-thinking men. They establish communities of the mind whose members cover the earth. By contributing to understanding, they ultimately serve the cause of peace.

PARTICIPATION BY DR. MARTIN LUTHER KING AND BAYARD RUSTIN IN INTERNATIONAL AFFAIRS

Mr. THURMOND. Mr. President, I ask unanimous consent that a statement I made concerning a development in international affairs over the weekend be printed in the RECORD.

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

A whole new sphere of troublemaking for the United States was launched yesterday when Martin Luther King, accompanied by Bayard Rustin, turned from his successes at creating domestic disorders to an attempt to play the same role with similar consequences in international affairs. It is a distinct disappointment to me and a disgrace to the country that Ambassador Goldberg would officially receive such persons as Martin Luther King and Bayard Rustin, and thereby lend credence to an appearance of official respectability of these two troublemakers.

Neither King nor Rustin have backgrounds or experiences which would even entitle them to an official audience. King is a notorious troublemaker and intermeddler, who has of late publicly revealed his interest in international affairs. Only King, and possibly some agencies of Government, can be sure what qualifications he possesses, or thinks he possesses, which would make persuasive his proposals to the leaders of communism to whom he proposes next to address them.

Bayard Rustin's qualifications are better documented in the public record, in that he was reported in the press to have been a member of the Young Communist League, not to mention the fact that he was convicted for sex perversion and dodging the draft.

It is indeed a sad commentary that even the existence of such persons is acknowledged to the extent of an audience with a high official of the Government. Ambassador Goldberg is, of course, free to accept advice from whomever he pleases privately, but I would hope that in the public conduct of his official position, he would be more discriminating and concerned for the image of our Nation than he demonstrated in publicly receiving King and Rustin.

AMERICANS UNITED ON VIETNAM

Mr. SMATHERS. Mr. President, the results of a Harris Survey published yesterday give convincing evidence that the American people have rallied strongly behind their President over the gravest issue facing this land today, the war in Vietnam. Right now, as we meet in this Chamber, 66 percent of the public approves the course President Johnson is following in Vietnam. This support is an overwhelming repudiation of the Communists' wishful contention that deep divisions within the United States over the administration's southeast Asian policies will eventually lead to our ignominious defeat. In every region of our great Nation, the people understand the necessity for our commitment to the South Vietnamese. They understand that it is a commitment rooted in the desire for peace, and they support it.

Doubtless we will continue to have one or two misguided civil rights leaders issuing statements and isolated demonstrations against the war in Vietnam, but these actions are becoming less popular and, indeed, more futile every day. No matter how vocal they have been, the peacemongers have not been able to shake the commonsense of most Americans.

Those who oppose American involvement in southeast Asia have repeatedly attempted to swing public opinion against the course being followed by President Johnson's administration, and have tried in vain to rally the people around several principal arguments.

One of the chief of these arguments is that we have failed to evolve a solid and consistent policy; that our goals have been hazy and ill-defined; that, in fact, we do not know what we seek in aiding the people of South Vietnam.

But in reviewing official public statements on Vietnam, one cannot help but be struck by the strong continuity of our policy as it relates to that beleaguered nation. Since 1954, when President Dwight Eisenhower pledged to "assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means," every administration has committed itself to aiding the cause of freedom in South Vietnam.

In 1961, the late President John F. Kennedy said:

> We are prepared to help the Republic of Vietnam to protect its people and preserve its independence.

And President Johnson has said:

> We have made a national pledge to help South Vietnam to defend its independence.

I know it is the President's intention to keep that promise.

Mr. President, almost every American official involved with the conduct of our foreign relations has taken great pains to clarify the aims of the United States in southeast Asia. Time after time, members of both Democratic and Republican Administrations have explained to the American people just what it is we are trying to accomplish.

In a June 1, 1956, speech to the American Friends of Vietnam, here in Washington, former Assistant Secretary of State for Far Eastern Affairs Walter Robertson outlined out goals in Vietnam as follows:

> To support a friendly, non-Communist government in Vietnam and to help it diminish and eventually eradicate Communist subversion and influence.
>
> To help the Government of Vietnam establish the forces necessary for internal security.
>
> To encourage support for Free Vietnam by the non-Communist world.
>
> To aid in the rehabilitation and reconstruction of a country and people ravaged by 8 ruinous years of civil and international war.

The roots of the conflict in southeast Asia extend back to the close of World War II and the emergence of a strong sense of nationalism and anti-colonialism in nearly every underdeveloped region of the earth. This surge of nationalism eventually swept France from her historic control of Indochina and led to the Geneva Conference of 1954, which divided Vietnam into two

distinct nations. Article 21 of the Agreement on Vietnam states that each party, North and South Vietnam, shall respect the territory of the other and shall commit no act and undertake no operation against the other party.

This provision has been violated by the Communists in Hanoi.

Since 1959 North Vietnam has been on the march. Unable to undermine and topple the Government of South Vietnam by subversion, the Communists have embarked on a course of open aggression. They have infiltrated tens of thousands of guerrillas and vast stores of weapons into South Vietnam. They have sent several identified regiments of the regular army of North Vietnam into the South. They have stepped up their campaigns of terror and subversion.

The people of South Vietnam have resisted every attack bravely and with all the resources at their command. They have made great sacrifices in the defense of their liberty.

But, Mr. President, these people in a land 10,000 miles from our shores cannot stand alone. They face a strong and determined enemy who is supported by Communist China and other Communist nations. They were forced to seek help from the free world, and that help was extended by President Eisenhower and has been continued by each of his successors.

This aid has become the cornerstone of free world support for Vietnam. As the major free world power this is a responsibility our Nation must not and cannot shirk. The history of America itself is the fulfillment of a dream against odds which at times seemed overwhelming. In the face of that history, we cannot abandon any free nation which seeks similar goals. Following our lead, 36 other free world nations are already contributing military or economic assistance to South Vietnam, or are pledged to do so in the near future.

Even while the forces of freedom have been increasing military efforts to counter the growing Communist aggression, we have continued our work in the economic and social fields. And, most important of all, we have again and again stated our willingness to enter into discussions or negotiations leading to peace and stability in Vietnam.

In his famous Johns Hopkins speech on April 7, of this year, President Johnson stated our readiness to engage in unconditional discussions with the governments of North Vietnam and other countries in an effort to arrive at an honorable settlement. He reaffirmed, however, that until such an agreement is reached, "We will use our power with restraint and with all the wisdom that we can command. But we will use it."

Mr. President, Secretary of State Dean Rusk stated the essence of the Vietnamese issue as clearly as I have heard it in his press conference of November 17, 1961. At that time, he said:

> The determined and ruthless campaign of propaganda, infiltration, and subversion by the Communist regime in North Vietnam to destroy the Republic of Vietnam and subjugate its people is a threat to the peace. The independence and territorial integrity of that free country is of major and serious concern not only to the people of Vietnam and their immediate neighbors, but also to all other free nations.

The Communists in Hanoi would have us believe Secretary Rusk's words are untrue, and that the conflict in South Vietnam is nothing more than a civil war between factions of South Vietnamese. Regrettably, many of the domestic opponents of President Johnson's Asian policies have echoed this contention and have accused us of meddling in the internal affairs of another country.

The charge that what is taking place in South Vietnam is a civil war, however, is not substantiated by the available information. The Government in Saigon and our Government are in possession of a large mass of evidence from many sources which plainly indicates that North Vietnam is directing the war from Hanoi. Its commands are channeled through its military and political cadres in South Vietnam. Most of the weapons used by the Vietcong have been supplied by the North.

The so-called national liberation front is a child of Hanoi. Its member organizations are mostly shadows without substance. Its leaders are without political stature, and most of them are unknown in the South. Dr. Robert Scalapino of the University of California, who has long studied the problems of southeast Asia, said in May of this year that—

> The real leaders of the Vietcong are, and always have been * * * members of the Communist Party—and that party has Hanoi as its headquarters now as in the past.

The South Vietnamese people, who have had long and bitter experience with the Communists, know these facts. But few foreigners do, and this is an advantage Hanoi and Peiping have been exploiting to the utmost in their political and propaganda activities.

Mr. President, the critics of our actions in Vietnam have raised one point that is the legitimate concern of every responsible American. It is the question of whether a war being waged in a tiny, far-off country will expand into a conflagration that will sweep the earth. For while the course of our involvement in southeast Asia has remained constant, its scale has become greatly enlarged as we have moved to meet the increase of Communist activity. Early this year, for instance, the administration began a carefully controlled series of bombing raids on targets of military value in North Vietnam.

The United States has repeatedly declared that we do not seek to destroy cities or the civilian population of the North.

What we do expect to accomplish through these air attacks was set forth by Ambassador Maxwell Taylor, our former Ambassador in Saigon, in an August 16 television interview. He made three major points:

First. To give the South Vietnamese people the sense of being able to strike back for the first time against the source of all their evils, North Vietnam.

Second. To reduce infiltration.

Third. To remind the Communists in Hanoi that unless they cease their aggression they will have to pay an ever-higher price for their actions.

No one can accurately predict when our soundly balanced strategy of air and ground military activity, logistical support, and political flexibility will yield concrete results, but yield them it will.

While no one can contend that the road ahead in Vietnam is short or easy, or that great dangers do not exist, the possibility of an eventual settlement seems nearer.

The propaganda of Hanoi and the National Liberation Front has moved away from the flat demand that U.S. Armed Forces get out of South Vietnam, and now we are hearing carefully worded suggestions that a token force of American troops might remain in South Vietnam while discussions were undertaken.

The Communists still insist on the fiction, however, that the National Liberation Front must represent South Vietnam in any peace talks, which is comparable to insisting that the American Communist Party represent the United States in some hypothetical negotiation with Communist nations.

Meanwhile, the monsoon season in Southeast Asia is drawing to a close, and the Vietcong and their North Vietnamese masters are no nearer to victory than when their latest offensive began in late May. This is not to say that the teeth of the Communists have been pulled, but American-led forces have dealt them some serious blows in recent weeks. We have bombed within 17 miles of the Red Chinese border. In addition we have demonstrated very forcibly to Hanoi that we can wipe out their rail and supply lines with ease.

The latest news reports filed from Saigon indicate that, as their frustrations on the battlefield mount, the Vietcong are turning more and more to methods of brutal terrorism in their drive for conquest.

Mr. President, the possibility of direct Chinese intervention in the struggle in Vietnam is another question which has been raised as a result of our stepped-up military support for Saigon.

Both former Ambassador Taylor and Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, believe that such action by Communist China is unlikely as long as that nation is not attacked. Many others agree.

For, no matter how belligerent the tone of the Chinese, they are fully aware of the fact that they would not enter a contest with the United States in southeast Asia on terms to their advantage. The Red Chinese know we are fully prepared militarily; that they would have to fight in an area exposed to effective U.S. airpower; and that there is a very real possibility that Soviet Russia would remain neutral in such a struggle.

Perhaps most significantly, neither the Chinese nor the North Vietnamese want to completely puncture the myth—already full of obvious holes—that the war in Vietnam is a civil war, a war, to use the Communist term, of national liberation.

Mr. President, there can be no easy way out of the situation in Vietnam. There are no cheap or quick solutions to

a problem that has been with us for 11 years and that has occupied the energies of 3 Presidents.

But, I am confident that our policies which have been so carefully worked out and tested in the crucible of war have stood the test of time and, in the long run, will prove successful.

The American people, all people, want peace but not at the price of surrender to aggression. We have learned from hard and costly experience that peace without honor, peace without proper safeguards, peace "at any price," is merely the prelude to mounting aggression and bloody, costly war.

In his July 28 press conference, President Johnson said:

> We are in Vietnam to fulfill one of the most solemn pledges of the American Nation. Three Presidents—President Eisenhower, President Kennedy, and your present President—over 11 years have committed themselves and have promised to help defend this small and valiant Nation.
>
> Strengthened by that purpose, the people of South Vietnam have fought for many long years. Thousands of them have died. Thousands more have been crippled and scarred by war. We just cannot now dishonor our word, or abandon our commitment, or leave those who believed us and who trusted us to the terror and repression and murder that would follow.
>
> This, then, my fellow Americans, is why we are in Vietnam.

I am convinced that we can do no less than the President has pledged we will do.

WHEAT SHIPMENTS TO RUSSIA IN U.S. SHIPS

Mr. YOUNG of North Dakota. Mr. President, the Executive order providing that 50 percent of all wheat shipped to Russia and Russian-bloc countries must be carried in U.S. bottoms represents a serious problem to the wheat industry of this Nation. No such provision applies to any other farm commodity or even industrial goods except for those that are declared strategic war materials.

From the days of the Pilgrims the U.S. wheat producers have had to depend on foreign markets for a large part of its production and currently far more than 50 percent. Even with greatly curtailed acreage through Government programs we still have a sizable surplus of wheat. This means that there is no other way for wheat farmers to survive without a farm price support program.

There would be little need of any price support program for wheat if we were not blocked out of the big dollar markets of the world as is now the case. The Fargo Forum of Fargo, N. Dak., under date of September 10, 1965, has a very appropriate editorial dealing with this subject which I ask unanimous consent to have inserted as a part of my remarks, and also a column by Richard Wilson appearing in the Wednesday, September 8, 1965, issue of the Evening Star entitled "Union Snaffles Wheat-Sale Hopes." Both of these in a very factual way set forth the problem all this presents, not only to the wheat industry, but to the entire Nation.

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

[From the Fargo (N. Dak) Forum, Sept. 10, 1965]

MARITIME UNIONS PREVENT U.S. WHEAT FARMERS FROM SELLING ON WORLD MARKET

Once again the American maritime unions, notably leftwing in their thinking, and the ultraconservative wing of American political thought are working together to deprive the U.S. wheat farmer of a chance to sell his product on the world market.

They are adamant against letting American grain interests sell wheat to the East European nations, including Russia, unless 50 percent of the exports are shipped in American-flag vessels.

Cargo rates in American-flag vessels are higher than rates offered by foreign vessels, and this requirement has the effect of raising the cost of American wheat by at least 10 to 15 cents a bushel. So Russia and its allies buy wheat from Canada for gold. Canadian farmers are being urged to raise all the wheat they can, while the U.S. Congress debates a farm bill that is intended to continue controls over American wheat production in an effort to keep our surplus production from overflowing our storage bins.

Even if President Johnson or the Congress lifted the requirement for shipping half the wheat sold to Eastern Europe in American-flag vessels, there is considerable doubt that U.S. maritime workers would load the wheat.

Victor Riesel, a labor news reporter-columnist, recently interviewed Teddy Gleason, leader of 60,000 longshoremen. Gleason said it would take the U.S. Marines to get grain loaded onto any ship, American or foreign, in any U.S. port if U.S. shippers did not get half the business.

Riesel added: "And unless Gleason's followers load that grain, it won't get into the cargo holds. If the marines handle it, the American ships won't sail because their crews belong to Paul Hall's militant Seafarers, or the National Maritime Union. If the Government mans the ships, the marine engineers will strike again."

So labor won't let the American farmer enter the world wheat market without putting out its fist first and demanding a cut. And the same labor organizations—through their Congressman—are the first to complain about the high cost of farm subsidies which are intended only to give the farmer a fair return for his product.

The maritime blockade against the farmer makes a mockery of the Great Lakes seaway which gave the Great Plains farmer an outlet to the world markets.

[From the Washington, D.C., Evening Star, Sept. 8, 1965]

UNION SNAFFLES WHEAT-SALE HOPES

(By Richard Wilson)

A labor union is successfully thwarting a major foreign policy thrust of the U.S. Government. This ludicrous situation illustrates to what lengths labor union tyranny can be carried.

But the fault lies not alone with the union; it also rests on an administration in Washington that will permit itself to be so intimidated.

The union involved is the militant leftwing Maritime Union, backed up by George Meany, president of AFL–CIO. The issue is sales of American surplus wheat to the Soviet Union. But far more is involved than merely unloading American farm surpluses.

Communism's great failure is its inability everywhere, in China and Cuba as well as the Soviet Union, to organize agricultural production to feed properly an industrialized society. It is a glaring failure of State socialism known to all the important people of the world and thus is a continuous question mark behind the effectiveness of the Communist system. Moreover the problem of agricultural production is the chief problem of every emerging nation of the world, from Vietnam to Tanzania.

The Soviet Union is undergoing the humiliating experience of scrambling in the world market for wheat to feed the industrial sector of her society because her farm technology is hopelessly fouled up under Socialist direction and cannot stand the slightest adversity in crop-growing weather.

Imagine the great planners of the abundant society in Moscow, that society that would leave the United States far behind in material progress, having to go hat-in-hand to Ottawa and Canberra seeking enough wheat to avoid bread riots in Sverdlovsk.

But the Moscow bargainers will accept only so much humiliation, and they balk at buying American wheat that they can't bring into their own ports in shipping of their own choosing. This is the point at which the Maritime Union has thwarted a U.S. policy of getting rid of American surplus wheat while at the same time focusing a glaring light on the failure of Socialist planning.

The union forced President Kennedy to impose the requirement that 50 percent of any wheat sold to the Russians must be transported in American vessels so as to provide employment for American seamen, the highest paid in the world.

Since American shipping costs are about 40-percent higher than those of other countries, the requirement has a very discouraging effect on Russian purchases. Russians get their wheat elsewhere when they can, from Canada, Argentina, Australia, and France.

In practice, all that the 50-percent requirement has done is discourage any shipments of American wheat to the Soviet Union, and that reduces maritime employment rather than increases it. The opportunity to get rid of many millions of bushels of American wheat is lost, but the Soviet Union is little the worse for it.

Behind the scenes, Vice President HUBERT H. HUMPHREY has been urging President Johnson to lift the 50-percent requirement. HUMPHREY is reflecting the desires of the grain trade and grain farmers in his home State of Minnesota. It is ironic that congressional and public support has swung in favor of the practicalities of trading with the Russians, but that the rightwing political organizations and the leftwing Maritime Union join in blocking it.

Meany's opposition is notable only for its adamancy. He seems wholly under the influence of his adviser, Jay Lovestone, a recanted U.S. Communist Party official, who has reacted so strongly against his former associations that he wants no truck with the Communist world at all.

Johnson has hung back, apparently fearing that if he lifts the 50-percent requirement dock workers will refuse to load the ships, as they did in 1964. To enforce his policy he might have to call out Federal troops. That would be a politically exploitable contradiction: Paratroopers loading wheat for the Russians while the Air Force bombs Russian-manned missile sites in Vietnam.

Informed officials here are forecasting that in 6 months or so the conditions may have been created for breaking the Maritime Union tyranny. Why not now?

DEATH OF DR. MORTIMER TAUBE

Mr. TYDINGS. Mr. President, one of the most beloved citizens of Montgomery County, Md., passed away last week.

Dr. Mortimer Taube was an outstanding civic leader, a remarkable businessman and an extraordinarily learned and sensitive human being.

Long active in civic affairs, Dr. Taube served during the past 2 years as chairman of the United Givers Fund for Montgomery County.

A specialist in the field of information theory, Dr. Taube had organized Documentation, Inc., in 1951 with three employees. The firm now employs more than 700 persons and is the world's largest aerospace information center, running the scientific and technical information service for the National Aeronautics and Space Administration.

Although his firm worked chiefly with computer-stored information, Dr. Taube vigorously opposed the overcomputorization of modern life. His book, "Computers and Commonsense," published in 1961, emphasized his admonition that computers cannot think.

A philosopher by training, Dr. Taube studied at Harvard during the 1930's under Alfred North Whitehead. He received a doctorate in philosophy in 1935 from the University of California.

Last year, he served as an adjunct professor at the Columbia University School of Library Science, flying to New York once a week to teach a course on modern methods of information gathering.

At the time of his death, he was working on a book to be called "Philosophy for Philistines."

Dr. Taube's death, at age 55, came as a deep shock to me and to all who knew and loved him.

I ask unanimous consent that an editorial from the Montgomery County Sentinel of September 9 be inserted in the RECORD.

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

[From the Montgomery County Sentinel, Sept. 9, 1965]

DR. MORTIMER TAUBE

Dr. Mortimer Taube is dead and his passing is a grievous loss to the Montgomery County community.

A man of many interests—he was a philosopher, astute businessman, sportsman, scientist, author, teacher, music lover, art collector—he had a fine mind and boundless energy and enthusiasm. Like many men of notable achievement, he needed—or wanted—little sleep. Like Robert Frost he felt he had many miles to travel before he slept. And promises to keep. His premature death at the age of only 55 is tragic indeed.

Typical of men of his caliber he was genuinely concerned about his community. And typical of the man he didn't scatter his shots. The single institution that performs best for the community's less fortunate is United Givers Fund, raising huge sums of money for social welfare agencies that relieve enormous distress and soften tragedy. Dr. Taube served as chairman of last year's UGF drive in the county and when he died he had accepted the chairmanship of this year's drive and was, despite the heavy demands on his time, already throwing himself into this most worthwhile community endeavor.

Four days before his death he sent a letter to all leading business firms in Montgomery County announcing a meeting in his office at which he wanted to discuss "how best we can jointly assume the responsibility which faces us."

We can think of no more fitting tribute to his memory than for the community to give to this year's UGF fund drive in his name. He would be pleased.

There are too few Dr. Mortimer Taubes in the world and their departure creates a great void. The sympathies of the entire Montgomery County community go out to his family. It is our loss, too.

JOHNSON ADMINISTRATION SUPPORTED SUBSTANTIALLY ON VIETNAM POLICIES AND TACTICS

Mr. RANDOLPH. Mr. President, it is gratifying to read newspaper accounts of Louis Harris polls, as published Sunday and today in the Washington Post, under the encouraging headlines, "Support Solidifying for Johnson Course in Vietnam Crisis," and "Administration Backed on Tactics in Vietnam."

I commend the President of the United States and continue to support his Vietnam policies. As I stated in a speech at Ramage, W. Va., at a large family reunion event on August 22, 1965, an action such as that in which America is involved in Vietnam is not acclaimed in the ordinary sense of popularity. Who would expect such circumstances to be popular? But the consensus of support for efforts there is overwhelming. Widespread knowledge exists in our country that it is necessary for the United States and other anti-Communist nations to draw the line there against Communistic aggression, expansion, and infiltration. We must blunt the Communist drive in Vietnam and convince the Reds that they should negotiate a peaceful settlement.

In comments on our involvement in Vietnam, I also declared, and I reemphasize today, that we are not going it alone in Vietnam, as some citizens would have other citizens believe. And we are not prosecuting an aggrandizing offensive against a small country. We are in a complex effort—even more so than in Korea. But that root fact is that we are assisting South Vietnam, with more than three dozen other allied countries, in an effort to contain communism in southeast Asia and thereby stabilize the tenuous peace.

Although we are in a form of war on a small front in a faraway land on a limited basis, we continue as a Nation to experience a relatively peaceful life instead of the disaster of a major holocaust and instead of rapid Communistic expansion.

The satisfaction which comes from peace, even in the relative sense, and from prosperity at home in the factual sense, will not be ours for long, however, unless we continue with vigor to prosecute our efforts in Vietnam.

I repeat: We do have allies there—more than 36 of them—in addition to the Republic of South Vietnam. Their numbers and contributions to the fight against the Vietcong and the North Vietnamese Communists will grow until the Reds are convinced they cannot conquer or take over in that distant but vital area. They must be convinced that peace is the only real solution.

For us to abandon the effort and pull out, as some citizens counsel, would be an invitation to the communistic hordes to swarm over all of southeast Asia—and then over all of Asia—and to break loose aggressively and insidiously in many other parts of the world. Where can we draw the line against the Communists better than in Vietnam?

We must and we will hold on the Vietnamese line. Otherwise, we will be facing peril and possibly will be forced to fight a larger war on a much closer front. In strength we will find peace. If we weaken, the future of our country will be insecure.

Mr. President, I ask unanimous consent to have printed in the RECORD articles from the Washington Post of Sunday, September 12, 1965, "The Harris Survey—Support Solidifying for Johnson Course in Vietnam Crisis," and Monday, September 13, 1965, "The Harris Survey—Administration Backed on Tactics in Vietnam," and I ask unanimous consent, also, to have printed in the RECORD the text of an address I delivered in Parkersburg, W. Va., August 7, 1965, on the subject.

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

[From the Washington Post, Sept. 12, 1965]

THE HARRIS SURVEY—SUPPORT SOLIDIFYING FOR JOHNSON COURSE IN VIETNAM CRISIS

(By Louis Harris)

President Johnson today has more solid support for his policies in Vietnam—66 percent of the public—than at any other time since the fighting began to escalate in February. Opposition to U.S. involvement in the war appears to be fading, while public opinion behind a firm military posture is very substantial.

The American people apparently have passed an important threshold in their thinking about Vietnam. Only a relatively small minority any longer expect a quick settlement of the war. More than twice as many, in fact a majority of the public, believe that the Vietnam fighting will go on for several years.

It is now clear that as concern over the war in Asia has mounted—73 percent say they think about it often and 61 percent feel personally affected by it—most Americans have concluded that the failure of the United States to stand firm in Vietnam would lead to even deeper trouble for the free world later on.

On five occasions this year, the Harris Survey has asked cross sections of the public: "How would you rate the job President Johnson has been doing in handling the war in Vietnam—excellent, pretty good, only fair, or poor?"

L.B.J. handling of war

[In percent]

	Excellent—pretty good	Only fair—poor
September	66	34
July	65	35
May	57	43
March	60	40
January	41	59

From the essentially negative feelings of last January, public opinion has shifted sharply. Furthermore, there is a growing firmness about the course the American people want to see followed in Vietnam. The public was asked in May, July, and again in this latest survey:

"What course do you feel the United States should follow in the Vietnam fighting—carry

the ground fighting to North Vietnam, at the risk of bringing Red China into the war, negotiate a settlement, or hold the line to keep the Communists from taking over South Vietnam?"

[In percent]

	Sept.	July	May
Hold the line	49	45	42
Negotiate	25	30	36
Carry the war north	26	25	22

In order to test just how solidly people are willing to hold to their positions about the Vietnam war, a series of statements was presented to people who professed to hold each point of view. After each statement was read, each person was then asked if he would still agree with his stated position. The results are particularly revealing.

All of the 25 percent of the public who want to carry the war to North Vietnam are willing to see this done even if it means the Government would have to reimpose the taxes that were reduced last year. Ninety-five percent of this group feel the war should be carried to the North even if it means that the United States would become involved in an Asian land war with casualties as great as in Korea or if it means that Russia and China join forces with North Vietnam. Ninety-two percent of this group favor carrying the war to the North even if it means we would ultimately have to use atom bombs on the Chinese mainland.

The bulk of Americans—the 49 percent who want to hold the line in South Vietnam—feel almost as strongly about that view. Ninety-five percent of them say they are willing to give up last year's tax cut to maintain that position. Seventy-three percent say they are for holding the line even if it means a land war as in Korea. Sixty-nine percent say they are for holding the line even if it means Russia and China join with North Vietnam. And 58 percent are for staying in South Vietnam even if it means the eventual use of atom bombs against China.

In sharp contrast, the 25 percent of the public who want to end the fighting in Vietnam with the best settlement we can get is far less solid in its views. Seventy percent of these people say they would change their minds about our course in Vietnam if it means that Communists would use similar tactics on other continents. Almost two-thirds say they would change their minds if negotiating our way out of Vietnam means that the Communists would take over all of southeast Asia or that Americans would be fighting against Communist wars of liberation in other places in the next 15 years.

Thus, it is clear that some of the possible consequences of pulling out of Vietnam now are unacceptable even to those who believe President Johnson is pursuing the wrong policy there.

In fact, when public opinion about Vietnam is assessed in the light of these probes, it is perfectly apparent that the American people are nearly 70–30 behind the proposition that Vietnam should be the ground on which the United States should take its stand against communism in Asia.

There is little doubt now that most Americans appear ready for a long haul in Vietnam, as distasteful as the sacrifice and suffering might be. This was evident in the replies to another question:

"Do you feel the war in Vietnam will now last several years, or do you feel it is likely to be settled soon?"

	Percent
Several years	54
Settled soon	24
Not sure	22

[From the Washington Post, Sept. 13, 1965]

THE HARRIS SURVEY—ADMINISTRATION BACKED ON TACTICS IN VIETNAM

(By Louis Harris)

As reported yesterday, the American public is now solidly behind the present U.S. policy to do everything possible to prevent a Communist takeover in South Vietnam. On most questions of specific military and political tactics in the war there, people in this country also tend to back the decisions made in Washington.

There are, however, two important exceptions. By a 3-to-2 margin, the public would like to see the United Nations take over the defense of South Vietnam as it did in Korea in the early 1950's. And by a 5-to-4 margin, the public favors imposing a naval and air blockade on the ports of North Vietnam.

The Johnson administration has not used a blockade, and the United Nations is not involved in the defense of South Vietnam.

On other important tactical points, however, key decisions made by Washington receive strong support. For example 2 out of every 3 Americans who have an opinion on the issue oppose bombing Hanoi, the capital of North Vietnam, despite some demands in this country that such attacks be carried out. By 5 to 1, the public also supports the refusal of the administration to use tactical atomic ground weapons or to bomb the mainland of China. And the $1 billion economic assistance program Mr. Johnson pledged for all of southeast Asia if the war in Vietnam were to end meets with better than 2-to-1 public acceptance among a cross section of the adult public.

KEY VIETNAM POLICIES

"I want to read off to you a number of positions the Johnson administration has taken on Vietnam. For each, I wish you would tell me if you think the administration is more right or more wrong."

[In percent]

	More right	More wrong	Not sure
Not using tactical atomic ground weapons	67	14	19
Not bombing the China mainland	65	13	22
Pledging $1,000,000,000 to southeast Asia if war ends	48	22	30
Not bombing Hanoi	47	20	33
Not blockading North Vietnam ports	31	38	31
Not asking United Nations to take over defense of South Vietnam	29	42	29

It is significant that even people who say they want to escalate the ground war by carrying it to North Vietnam oppose the use of tactical atomic weapons and the extension of air strikes to China. This group would likewise favor the United Nations' taking over the military direction of the war in Vietnam.

On the question of bombing Hanoi or imposing a blockade on North Vietnamese ports, there are sharp divisions according to people's general views on overall strategy.

Bombing Hanoi

[In percent]

	Favor bombing	Oppose bombing	Not sure
Nationwide	20	47	33
By attitude toward war:			
Carry to North Vietnam on ground	48	28	24
Hold line	14	62	24
Negotiate best we can	13	52	35

Blockading North Vietnam ports

[In percent]

	Favor bombing	Oppose bombing	Not sure
Nationwide	38	31	31
By attitude toward war:			
Carry to North Vietnam	64	18	18
Hold line	39	38	23
Negotiate best we can	25	40	35
By 1964 vote:			
Goldwater voters	45	23	32
Johnson voters	36	35	29
By sex:			
Men	46	31	23
Women	30	31	39

In the case of both issues, the balance of power is clearly held by the group who would like to hold the line in South Vietnam. The hold-the-liners are overwhelmingly opposed to bombing Hanoi but tend by a narrow margin to favor a blockade.

It is interesting to note that the people who voted for Barry Goldwater in 1964 are heavily in favor of the blockade, while Johnson voters are split down the middle. This, of course, bears out a division that emerged in the 1964 election itself.

When asked if they feel Mr. Johnson's position on Vietnam now is more like Goldwater's than it was a year ago, or is it still very different, Goldwater backers by nearly 2 to 1 think the President has come over to the former Republican Senator's views. But those who voted for President Johnson last year feel just as decisively that this is not the case.

CURBING COMMUNISTIC EXPANSION AND AGGRESSION

(Speech by Senator JENNINGS RANDOLPH, of West Virginia, at Parkersburg, W. Va., August 7, 1965)

Today, as never before, the American proposition of the dignity of freemen is threatened by an implacable, ruthless and resourceful enemy. In 48 years, international communism has grown from a handful of theorists and revolutionaries to a power which now rigidly controls one-third of mankind and has penetrated in varying degrees the remaining two-thirds.

In southeast Asia, in the Middle East, in Africa, and in Latin America, communism has made significant inroads in the past 20 years—and not by military means alone, but by exploiting the tensions of the newly independent societies and by holding forth a false but appealing vision of a new life.

This is a time for our rededication to the ideals for which the American struggle for independence was fought, and for dedication to the right of all men and women to share in those ideals.

Though we are locked in a struggle for which we can see no early end, we must not allow ourselves to be stampeded by alarmist cries of impending doom. Rather let us continue in patience and intelligent determination to seek the grounds for a just and enduring peace and the maintenance of individual liberty.

I believe it is time to ask a truly pertinent question, and it is this—What kind of a world would we now have if, in the last 20 years, the several Communist aggressions, wars of liberation, and involvement in the affairs of others had not been met?

This a fair inquiry at a time when the Communists are berating this country as imperialistic and when a number of our fellow countrymen—not excepting segments of the press—seem to feel uneasy because the United States has acted forthrightly in a time of international crisis.

In answering the question each individual must consider the Soviet record particularly and the Communist record in general.

In the years since the end of World War II it has been necessary for the United States and the free world to meet and counter subversions and aggressions in Iran, Greece, Turkey, Berlin, the Philippines, Korea, Lebanon, Cuba, the Dominican Republic, and now in southeast Asia.

It will be recalled that scarcely had Japan surrendered before the Soviets, by infiltration and assistance to a local Communist group, had set up an independent government in a province of Iran. The United States strongly protested and placed the issue before the newly created United Nations. Our country's position was clear. If the United Nations had been defied there likely would have been direct United States action, I believe. All signs pointed in that direction, but the Russians deliberated and then reluctantly withdrew from that Communist excursion into the Iranian province. Had the Red aggression not been met, the Soviets soon would have taken over all of Iran, and it seems to be a proper assumption that within a year thereafter all of the rich Middle East would have been occupied or controlled by the Communists.

It is pertinent to cite that Winston Churchill, in 1947, said that only U.S. possession of the atomic bomb had stood between the Soviets and a takeover of Europe.

Collaterally, there were developed the Truman doctrine and the Marshall plan.

The Truman Doctrine was enforced to save Greece and Turkey, even though in Greece the Communists' forces reached the suburbs of Athens. Turkey, in political chaos and near bankruptcy, was on the verge of capture by the Communists when the United States intervened. United States and free world actions in Greece and Turkey immediately following World War II were direct and decisive.

Application of the Marshall plan in another action of the post-World War II period saved Italy and France from chaos and communism.

Later came the Berlin blockade by the Soviets. This was an attempt to drive the United States and our allies out of Berlin. But the successfully accomplished airlift by the United States thwarted that Communist scheme.

We recall that for a number of months that city of several million persons was supplied with food, coal, and clothing only because of the airlifting of those necessities on an around-the-clock basis. It was a determined, but hazardous mission on the part of our country; it succeeded without provoking hostilities and was a stabilizer of the tenuous peace experienced in the midst of the cold war.

Then, too, at the close of World War II there was a large Communist force (the Huks) in the Philippines receiving Soviet assistance. The Huks attempted to overthrow the established government through guerrilla action. The same pattern was attempted by the Communists in Malaya. And, of course, we are aware that a Soviet and Red Chinese supported North Korean army, violating agreements, made a surprise strike into South Korea in the spring of 1950. In the early weeks of that Communist aggression, the invaders from Red-held territory nearly succeeded in their takeover mission. We recall that this communistic effort brought the United Nations into action on land, sea, and in the air—with the United States supplying the major forces, but with allies assisting. Total casualties on the U.N. side of that major and catastrophic armed confrontation with the Communists reached 160,000 before the Red excursion was halted.

It was in the first administration of President Eisenhower that the Korean affair was arrested, but it was also during the Eisenhower years that this country became involved in southeast Asia, including Laos and Vietnam. After 1954 the Russians and Red Chinese assisted in equipping and training the Vietcong Communist forces in Vietnam. Now, 12 years later, they continue to do so, and a treaty agreement was violated by North Vietnam and Russia in supporting this guerrilla force of the Vietcong.

To point out the wide dispersion of the Communist expansion activity, we recall also that in the Eisenhower years it was necessary to land troops from our U.S. forces in Lebanon to prevent a Communist coup in that country against a legitimately established government.

It is fresh in our memories, of course, that the late President Kennedy's firm policies prevented the Soviets from arming Cuba to the hilt with missiles within close range of our country.

Quick action by President Johnson earlier this year significantly prevented what could have been further take-over efforts in this hemisphere by the Communists in the Dominican Republic.

Had not the cited aggressions been met resolutely by all four of our Presidents since World War II, the position of the United States and the whole Western World long ago would have become so unstable as to have brought freedom to the brink of doom and communism to the fore as the dominant world force.

From the initial event in Iran to the present in southeast Asia, the Soviet record in the past score of years is one of gross interference in the affairs of other countries. The bellicose Red Chinese have been participating similarly and even more insidiously in recent years.

Notwithstanding these citations from modern history, we hear the United States arrogantly accused from Moscow, Peiping, Havana and Hanoi of having imperialistic designs and of interference in the affairs of other peoples.

It is an even more saddening experience to read in segments of the press and to hear some of our own citizens—seemingly without any reference whatever to the Communists' record of the past 2 decades—in expressions of contempt and in utterances of confusion concerning the policies of this country and its leaders in time of crisis.

I believe it remains clear that the aim of this Government continues to be the protecting of freedom and independence from Communist aggression without resort to general war.

Following President Johnson's press conference and address to the Nation on the Vietnam crisis recently, the Washington Post commented editorially:

"We do not see how President Johnson could have explained the necessity of the United States course in Vietnam more effectively than he did when he said:

"If we are driven from the fields in Vietnam, then no nation can ever again have the same confidence in our promise of protection. In each land the forces of independence would be weakened. An Asia so threatened by Communist domination would imperil the security of the United States itself * * *

" 'We just cannot now dishonor our word or abandon our commitment or leave those who believed us and who trusted us to the terror and repression and murder that would follow. This, then, my fellow Americans, is why we are in the Vietnam.'

"The President's reference to 'Asian communism' doubtless holds special significance. His exclusion of the Russians from his comments was an indirect appeal for Moscow's understanding of why we must do what we are doing. The Soviet Union shares at least some of the alarm in the West over the openly belligerent and recklessly aggressive course of Communist China and the North Vietnam Hanoi Government. President Johnson seemed to be saying to Moscow that the United States is doing everything possible to avoid a general war and that the two major nuclear powers have a common interest in not allowing this Asian Communist brushfire to get out of hand for want of a rational confrontation at a conference table.

"Within the United States, we surmise that the response to the President's speech will be overwhelmingly favorable. Despite the innate hatred of war, most of the people are aware of the kind of world we live in. They appear to be reconciled to a hard struggle in a far away land because of the close relation it has to the preservation of our own freedom * * *."

I agree completely with Max Freedman, whose views I summarize from a recent discussion of "America's Stake in Vietnam":

"What is at stake in Vietnam is not alone the noble but elusive concept of national honor but the stark imperatives of self-interest of the United States to have its word respected by every friend and feared by every foe. Without this respect the United States would be a hollow giant. With it, and without self-righteousness, it can be a guardian of peace. For its pledges can never be recklessly given, but once given, they must be resolutely redeemed. Otherwise national honor would indeed be seriously compromised—and national safety too."

There are those in this country who argue that what is happening in Vietnam is a civil war in which the United States has neither the right nor the interest to intervene. Whatever else may be said of this argument, it surely cannot be denied that it has not prevailed with three Presidents or with successive sessions of Congress.

The national commitment has rested on the principle that Communist aggression and Communist subversion are in fact taking place in Vietnam. It rests on that principle today.

What would happen if the United States abandoned that principle and retreated from its obligations? The results would not be limited to the loss of South Vietnam's freedom and the cruel punishments exacted by Communist tyranny. The calamitous results would be seen in a diminished respect for the stability of America's commitments and therefore in an increased threat to peace.

For the lesson of Vietnam, in these tragic circumstances of evasion and betrayal and retreat, would not be that aggression and subversion never succeed. The grim and dangerous lesson would be that the United States always runs away when the going gets rough and abandons its friends in the time of challenge. How could that lesson help the hopes of peace?

Does it not appeal to commonsense to suggest that weakness and retreat by the United States in Vietnam would bring new threats to peace in other vulnerable areas?

Rightly or wrongly, the United States for many years has made a test case out of Vietnam and now it must be tested by it. National self-interest gives no other choice except at the cost of intolerable risks.

This does not mean that the United States is committed to an endless land war in Asia. It does not mean that the United States wants to enlarge the war, to provoke China, or to widen the breach with Russia.

The President's desire to seek peace even while refusing to yield to Communist pressure must be manifest now to everyone who has any respect for facts. He has rejected the extreme policies of some of his advisers in the hope that the Communists would come to the conference table before the field of battle takes its frightful toll. But he

will do whatever is necessary to redeem America's pledge if Communist pressure continues its ugly grip on South Vietnam.

The argument there has been in the cold and inevitable terms of self-interest, not in the emotional terms of freedom.

A ROUSING ROUNDUP

Mr. CHURCH. Mr. President, one of the most dramatic beatings of an old sword into a new plowshare has recently been completed in my State and the experience has enriched everyone connected with the event. I refer to the 1965 Senior Girl Scout Roundup held on the site of a one-time Navy training base at Farragut, Idaho.

When it was learned that Idaho would play host to this outstanding gathering, huge bulldozers rolled into the former military installation which had been in long disuse on the shore of one of America's most beautiful mountain lakes. The machines smashed flat the last vestiges of the barracks and other machines, graded, and landscaped the area. Then there rose phoenix-like out of the debris of the old Navy base, a new tent city which eventually housed 10,000 girls and their counselors. Here the Girl Scouts came with their, "On the Trail to Tomorrow."

It was the free world's largest assembly of teenage girls: 9,000 Senior Girl Scouts, 2,000 leaders and administrative personnel, from all 50 States and though all-American in its spirit, universal enough to attract delegations of Girl Scouts from 40 foreign countries.

On the Trail to Tomorrow these girls were welcomed by Idaho's four ages; the age of thousands, even millions, of years ago, in natural wonders which remain just as our ancestors saw them for the first time; the age of yesterday's Wild West, for Idaho is still only a little more than a human lifespan away from the Oregon Trail, the colorful gold rushes, and the thundering herds; the age of today where the best of modern progress and comfort lives in strange closeness with the past; and the age of tomorrow, for Idaho with its atomic installations is already a vital part of nuclear advancement and space exploration.

We feel that Idaho provided a perfect setting for the Girl Scout Roundup. And there was a wonderful spirit of get-together about the entire event. Our Idaho Basque dancers performed. As the warmth of Idaho hospitality spread, the outreach of Girl Scout ideals was felt throughout Idaho, too.

I am sure that our Girl Scout visitors are taking home a new and more active interest in everything American. As these girls depart upon the Trial to Tomorrow, they have left us a memorable gift. Idaho is now not only more on the map than ever. Idaho now has a warmer place in the heart of every State in our Union.

To the largest group of visitors we ever entertained at one time we say, "Come back again, soon."

NIKOLA PETKOV, BULGARIAN NATIONAL HERO AND GREATEST MARTYR IN THE STRUGGLE FOR FREEDOM AND INDEPENDENCE

Mr. LAUSCHE. Mr. President, Nikola Dimitrov Petkov was born in Sofia in 1894. He was the son of Dimiter Petkov, a self-educated peasant from Dobrudja, who became Prime Minister of Bulgaria. Dimiter Petkov was assassinated in 1907 for opposing foreign intervention in the internal affairs of Bulgaria, especially on the part of tsarist Russia.

Petko Petkov, Nikola's brother, was one of the greatest Bulgarian peasant leaders. He fought Alexander Tzankov's fascist dictatorship of 1923 and as a result was shot down on a Sofia street on June 14, 1924—exactly 1 year after the merciless assassination of Alexander Stamboliiski.

Nikola Petkov received a law degree in Paris, where he spent most of his youth. During the Nazi occupation of Bulgaria he was an underground leader and was imprisoned several times.

When the Nazis were driven out of Bulgaria, Nikola Petkov and three other representatives of the Bulgarian National Agrarian Union—the largest political organization in Bulgaria—took part in the first coalition government, together with Communists, Socialists, representatives of the political group "Zveno,"and the independent intellectuals. Together with Dr. G. M. Dimitrov, Secretary General of the Bulgarian National Agrarian Union, Nikola Petkov fought stubbornly against Communist outrages, terror, and violence, and thus incurred the hatred of both the Communist Party and the Soviet occupation authorities. Despite these difficulties, he continued to defend the freedom and independence of his country.

When the Soviet occupation authorities demanded the removal of the "capitalist agent" Dr. G. M. Dimitrov from his post as Secretary General, Nikola Petkov took his place.

In July 1945, Nikola Petkov sent a memorandum to the Inter-Allied Control Commission demanding the postponement of the elections which the Communists had scheduled for the end of August 1945. These elections were to involve only one list of candidates, headed by the Communist Party. As a result of the memorandum, the Prime Minister declared that Petkov had resigned, although formally he never did so. In protest, Nikola Petkov and other cabinet ministers broke up the coalition government, and thenceforth openly opposed the Communist dictatorship. Upon intervention of the Control Commission, the elections were postponed until November 18th, 1945.

During the winter of 1946, Stalin sent Vishinsky to Sofia for the purpose of getting Petkov to come back into the government. At their dramatic meeting, Petkov declared that it was not his custom to obey the orders of any foreigner, but to listen only to the will of the Bulgarian people.

That meeting decided Petkov's fate.

In October 1946, Petkov headed the opposition in its election campaign against the Communist-Soviet attempts to seize full control of the country. The enthusiastic people from the countryside and towns voted en masse for Petkov's list, but the election results were falsified and violence and bloodshed were commonplace. Nevertheless, 101 people's representatives headed by Petkov, were acknowledged to have been elected and triumphantly entered the Grand National Assembly. It was there that Petkov's most courageous and heroic struggle culminated. Availing himself of his constitutional immunity, he unmasked in Parliament the treacherous intentions of the Communist and their leader, Georgi Dimitrov, former Secretary-General of the Comintern. He accused them of being Stalinist agents, and said that their hands were stained with the blood of innocent Bulgarians and that they wanted to make Bulgaria a Soviet province.

As a result of his activity, Petkov was charged with conspiracy against the state and the Soviet Union. Like his predecessor, he was called an agent of Anglo-American capitalism.

After dramatic and stormy debates in Parliament, Petkov was arrested inside the Parliament building in complete defiance of the Constitution and the law. Petkov declared dauntlessly that he would share with pride the fate of his father and his brother.

On August 16 Petkov was sentenced to die on the gallows.

Early in the morning of September 23, only 15 minutes after midnight, he was executed in secret because the Communists feared the people's mass indignation. At that time all executions took place about 5 o'clock in the morning.

Prior to the execution a representative of the Bulgarian Communist government appeared in Nikola Petkov's prison cell and offered him a pardon if he signed a petition in which he declared his repentance.

Petkov replied.

> You are even trying to desecrate my sacred memory, my sentence was passed by your Moscow masters and no one can revoke it. I do not seek any mercy from you. I want to die so that my people may be freed sooner.

The heroic example set by Nikola Petkov shook the free world and opened its eyes to the treacherous intentions and methods of the Bolshevist international conspiracy and the tragic fate which Soviet imperialism is preparing for all of humanity.

Petkov's career was a brilliant model of self-sacrifices for his people, principles, ideas, freedom and democracy. Thousands and thousands of Bulgarian patriots followed his great example.

That is the reason why the American Congressmen who, upon the occasion of a visit to Bulgaria, laid a wreath on his freshly dug grave, called him one of the greatest democrats of all time.

This is why government officials and statesmen from all over the world sent protest notes to his Sofia and Moscow

executioners, and honored and still continue to honor, Nikola Petkov as one of the greatest martyrs of human freedom and the right to independence.

With each elapsing year, the memory of Nikola Petkov is becoming a greater danger for the Communist tyranny, shaking its yoke and leading the freedom fighters to their final victory.

A GOOD THREE-MAN COMMISSION

Mr. GRUENING. Mr. President, the Anchorage News bestows well-deserved praise on a Government official who has served as chairman of the Temporary Claims Commission, which sought to achieve an equitable settlement between the Fish and Wildlife Service and the State of Alaska. At issue was the property, equipment, floating and otherwise, which in view of statehood and the assumption of many of the functions formerly performed by the Federal agency, and now performed by the State's department of fish and game, should have been transferred to the State.

As the editorial makes clear, the commission acted with unprecedented efficiency and economy. But the editorial makes one regrettable omission. There were two other members on the commission. They are entitled to share the credit for good performance with Mr. Ward. If statues are to be erected, there should be three of them. The other two members of the commission were Maurice Oaksmith, of Ketchikan, and W. C. Arnold, of Anchorage. They are to be commended no less than is Ray Ward.

I ask unanimous consent that the editorial from the Anchorage Daily News of September 11, 1965, entitled "There Ought to Be a Statue," be printed at this point in my remarks.

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

THERE OUGHT TO BE A STATUE

There ought to be a statue—to Mr. Ray Ward, that is. To lovers of redtape, bureaucracy, and fuddy-duddism, Ward's name must be like a dirty word. He is a traitor to his colleagues who believe every appropriation should be spent to the last penny.

We all have read and heard how Government agencies, high and low, as fiscal periods come to a close hurry around thinking up things to buy lest they be caught with a surplus in their budgets. The word goes out from headquarters "you've got some money left, hurry up and spend it."

Mr. Ward was Chairman of the Temporary Alaska Claims Commission, created in March 1964 to aid in settling certain claims for equipment and property still dangling from the statehood transition period. Mr. Ward didn't even bother to have any official stationery. In fact he didn't even have an office.

Mr. Ward had a budget of $33,000 for his Commission and this scorner of big spending had the audacity to use only $5,354.02. The rest he returned to the Government.

This most unusual turn of events caused Representative THOMAS CURTIS, of Missouri, to remark wryly, "It is an inefficient bureaucrat who can't spend $33,000 and come in for a supplemental or two and who cannot find many reasons to prolong life of a temporary assignment to approximate his own." Representative CURTIS was referring to Mr. Ward's closing of his "office" forthwith when the last piece of goods was adjudicated.

There ought to be more people like Mr. Ward. At least there ought to be a statue.

TITLE VIDEX TELEVISION DEVICE

Mr. BAYH. Mr. President, when the Gemini astronauts were picked up by the carrier *Lake Champlain*, still pictures of their arrival on the carrier were beamed instantaneously to millions of television viewers via a new process called Videx. This process, developed in Fort Wayne, Ind., by International Telephone & Telegraph Industrial Laboratories, made possible the graphic evidence of Astronauts Cooper and Conrad's physical health and vitality.

This is not the first important contribution made by ITT Industrial Laboratories in our space program. Several months ago an infrared sensor developed by this company was responsible for producing the nighttime pictures of the earth from the Nimbus satellite.

I would like to pay tribute to ITT Lab's dynamic president, Dr. Robert Watson, and his skilled team who are making these important developments in Fort Wayne.

The Videx process used in transmitting the astronauts' pictures has great promise in many commercial and communications applications and is lauded in an article appearing in the September 10, 1965, issue of Time magazine.

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

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

UP-TO-THE-MINUTE PICTURE

Minutes after they reached the deck of the *Lake Champlain*, Astronauts Cooper and Conrad were seen, bearded and smiling, on TV screens across the Nation. The images were not live TV pickups, which were not feasible due to technical difficulties. But they were the next best thing: still pictures transmitted almost instantly.

At first the TV screen turned all grey. Then the image took shape, teasingly, as if appearing from behind a slow-parting curtain that moved from left to right. While faint beep-beep-beeps were heard in the background, the picture grew in a series of vertical lines. In less than a minute, the picture was whole. For the first time on network television, still photographs were transmitted by a process called Videx.

Developed by International Telephone & Telegraph Corp., Videx is essentially an adaptation of the slow-scan process used in closed-circuit television and to send television pictures from space.

A videcon tube, much like a standard TV camera tube, sees the picture or other photographable object. The tube stores the image in the form of a pattern of varying intensities of light and dark. This pattern is then scanned by an electron beam, which registers the value of the light intensities, from white to grey to black. The electronic signal is next transmitted by radio or ordinary telephone line to a receiving screen.

TV cameramen on the *Lake Champlain* used Polaroid cameras to snap the pictures that were scanned by Videx. Each picture was scanned for 40 seconds; each frame consisted of 400 vertical lines, compared with the 525 horizontal lines of ordinary TV images. The pictures were transmitted by radio from the ship to Long Island, thence by telephone lines to Houston, where the TV networks were waiting with their receiving equipment. The beeping heard by the TV audience was the sound of the Videx signals.

Unlike regular TV, Videx does not require line-of-sight transmission, and it uses more compact equipment than ordinary TV. Banks are already employing the system to flash check signatures from branches to the main office for verification. The U.S. Weather Bureau sends weather maps and charts by Videx. The military has it too, but keeps the secrecy lid on its use.

CHINESE COMMUNIST APPROACH TO WORLD REVOLUTION

Mr. DODD. Mr. President, some critics of our present course of action in southeast Asia say we are interfering in a civil war.

They contend it is unrelated to the aggressive expansion of communism throughout the world.

We are also told that communism has limited territorial aims.

It is even said that communism's territorial expansionism is based upon legitimate national aspirations.

True to the quality of its past record, the journal Problems of Communism, in its July/August issue, has many articles of high scholarly excellence. I would like to call attention, in particular, to one article, "Maoism at Home and Abroad," by Tang Tsou and Morton H. Halperin.

Mr. Tsou is associate professor of political science at the University of Chicago and author of "America's Failure in China," 1963. Mr. Halperin is assistant professor of government at Harvard University and the author of "Limited War in the Nuclear Age," 1963, and "China and the Bomb," 1965.

The theme of Professors Tsou's and Halperin's paper is that Mao's revolutionary strategy, developed and applied to the Chinese internal political-military struggle, is also believed, by the Chinese Communist leadership, to be applicable not only to other countries, in the underdeveloped areas, but also to the world struggle between the Communist and anti-Communist camps. The article says:

> Several documents issued by the CCP in its dispute with the CPSU confirm that Mao is pursuing against the West a global, long-term strategy of encircling the developed areas from the underdeveloped areas, which amounts to an international projection of his strategy of surrounding the cities from the countryside in the Chinese civil war.

The findings of Professors Halperins' and Tsou's article, which came out in July, have been fully corroborated by the recent, revealing statement of Marshal Lin Piao, Chinese Communist defense minister.

Marshal Lin Piao, apparently speaking for the Chinese Communist hierarchy, explicitly states that Vietnam is a theater of the world revolutionary struggle. He explains that world communism, as led by China, has adapted the model of the Chinese civil war for its goals in the international arena.

He boasts in no uncertain terms that China is bent on shackling the world to her creed of communism.

Mr. President, the article "Maoism at Home and Abroad," is somewhat lengthy. However, because of the quality of the

research, the high regard in which the authors are held, and the importance of the subject, I ask unanimous consent that the full text of the article be inserted in the RECORD at this point.

I also ask unanimous consent to have several articles from the Washington Post and the New York Times, which report and discuss the recent Chinese statements on world strategy, put into the RECORD.

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

[From Problems of Communism, July–August 1965]

MAOISM AT HOME AND ABROAD

(By Tang Tsou and Morton H. Halperin)

Despite its political implications, the explosion on October 16, 1964, of Communist China's first atomic device, and of a second device (or possibly a bomb) on May 14, 1965, has not greatly altered China's military position vis-a-vis the West. By all standards except size and population, Communist China is still not a first-rate power; yet the fact is that she has proceeded to challenge—simultaneously and from a position of relative military and economic weakness—not just one but both of the world's superpowers, the United States and the Soviet Union. It is an equally undeniable fact that Peiping's success to date in this dual struggle, though limited and perhaps only temporary, nevertheless considerably exceeds what might have been anticipated on the sole basis of Communist China's military and economic strength.

The contention of this paper is that an explanation of these two striking facts must be sought in the nature of the revolutionary strategy developed and applied by Mao in the Chinese internal political-military struggle, and in his belief that this same strategy can be applied not only to other individual countries, particularly those in the underdeveloped areas, but also to the world struggle between the Communist and anti-Communist camps. Mao dared to challenge the superior military and economic strength of the United States because his revolutionary experience proved to his own satisfaction that his integrated and comprehensive strategy would enable him both to score present, if partial, political gains from a position of military inferiority and also to achieve highly ambitious ultimate objectives with initially meager means in a protracted struggle. This conviction also explains in part his willingness to challenge the Soviet policy of "peaceful coexistence" even at the cost of losing Soviet economic aid and risking an open split in the international Communist movement.

Thus, the key to Communist China's foreign policy lies in Mao's revolutionary strategy and the projection of that strategy to the international area. The present paper begins with a brief examination of the various factors facilitating the effort of the Chinese Communists to project their revolutionary strategy abroad and an enumeration of some items of evidence bringing out the close relationship between this strategy and Chinese international behavior. It then seeks to define the nature of Mao's revolutionary strategy and to show how the various elements of that strategy from a unified and intelligible structure.

REVOLUTIONARY STRATEGY AND INTERNATIONAL BEHAVIOR

All violent political revolutions have been originated by groups of men initially weak in numbers and strength. But no other group of successful revolutionaries in the modern world was confronted with greater odds, waged a more protracted armed struggle, and survived greater defeats than did Mao Tse-tung and his comrades. In his tortuous road to ultimate victory, Mao followed a pattern of action and formulated a set of principles which, on many occasions, helped him to achieve political gains from a position of military weakness, and which over a period of time enabled him to bridge the enormous gap between his highly ambitious goals and his early military-political impotence.

This pattern of action and set of principles followed, in time and logical sequence, Lenin's substitution of the conquest of political power in place of socialism as the end in view of the Communist movement, and his use of military analogy for the purpose of analyzing the revolutionary situation and developing a theory of political strategy. The effect of the latter was to obliterate the analytic difference between political and military forms of the class struggle and to call attention to the relevance of military analysis as a method of formulating programs to deal with political conflict.[1] Unlike Lenin, however, Mao was engaged in an intermittent civil war over a period of more than 20 years before the final conquest of power. Consequently, Mao went beyond Lenin in emphasizing the importance of military power. He laid down precepts for coordinating its use with political policies, developed a doctrine of protracted war and a military strategy of surrounding the cities from the countryside, and exemplified, in his strategic and tactical thinking, a combination of prudence and revolutionary enthusiasm. While Mao's doctrines and precepts are by no means profound, they were perfectly adapted to the objective conditions confronting him and proved instrumental in enabling the Chinese Communists to win the most bitter and protracted internal war in the 20th century.

The Communists' theory of revolution, however, is a theory not merely of domestic but of world revolution. To them the analytic categories relevant to internal and international politics are identical.[2] From the Chinese Communists' viewpoint, their revolution to overthrow the Kuomintang government was, among other things, a fight against "the lackeys of Western imperialism," particularly American imperialism in the last few years of the struggle; and they have viewed their attacks on the West, particularly the United States, since their capture of power as merely a continuation of their previous struggle. The recent precarious balance of power in the Far East and southeast Asia within a worldwide context of American military superiority must have seemed to them analogous to the situation that had prevailed in China during the larger part of the civil war, when overall Nationalist superiority existed in juxtaposition to local Communist strength in particular areas.

The predilection of the Chinese Communists to project the now sacrosanct principles of their own revolution into the international arena is further reinforced by Communist China's relatively short but highly traumatic experience as a member of the family of nations. This experience militates against wholehearted acceptance of the system of national states and the rules governing nations in that system. The moral unanimity existing among Chinese Communist leaders who claim to know the absolute and universal truth reinforces traditional Chinese ethnocentrism and strengthens the tendency of those leaders to view the foreign scene in the Chinese image and to judge alien things by Chinese standards. Thus, it is not surprising that many of Mao's principles and precepts of political-military action have underlain Peiping's policies, strategies, and tactics in the international arena generally and in specific encounters with other nations.

As early as August 1946, Mao set forth four theses on the international situation which, with some modifications, have continued to guide his foreign policy: First, an all-out war between the United States and the Soviet Union in the immediate future was improbable. Second, the struggle between the socialist and imperialist camps in the period immediately ahead would take place in "the vast zone" outside the United States and the Soviet Union and embracing "many capitalist, colonial and semicolonial countries in Europe, Asia and Africa." (This thesis was the origin of the controversial concept of an "intermediate zone.") Third, the atomic bomb is a "paper tiger" because "the outcome of a war is decided by the people, not by one or two new types of weapons." Fourth, all reactionaries, including "the United States reactionaries," also are paper tigers: "In appearance, the reactionaries are terrifying, but in reality they are not so powerful from the long-term point of view."[3] These four theses, enunciated in what amounted to Mao's first independent assessment of the global situation confronting the international Communist movement,[4] reflected to a striking degree his unified strategy in the Chinese revolution, particularly in the period between 1937 and 1945. At the same time, this assessment constituted Mao's justification, from the viewpoint of the international Communist movement as whole, of his acceptance (in July 1946) of all-out war with Chiang and placed the revolutionary war in China within the context of the world struggle between the socialist and imperialist camps.

Soon after the establishment of their regime, the Chinese Communists began to apply Mao's political-military strategy outside of China. In November 1949, Liu Shao-ch'i, already the second-ranking leader of the Chinese Communist Party, declared that the peoples of colonial and semicolonial countries should follow the "path taken by the Chinese people in defeating imperialism and its lackeys," and he specifically identified this path as consisting of Mao's three magic weapons: the united front, armed struggle, and the building of a strong party organization.[5] Subsequently, in Korea, the Chinese Communist forces successfully turned back MacArthur's drive to the Yalu by the use of Mao's strategy of retreating deep in his own base area, waiting for the enemy to commit mistakes, and then fighting a battle of quick decision as a prelude to a general counter-offensive.[6] In Indochina, the Viet-

[1] Andrew C. Janos, "The Communist Theory of the State and Revolution," in "Communism and Revolution," edited by Cyril E. Black and Thomas P. Thornton, Princeton, N.J., Princeton University Press, 1964, pp. 32–36.

[2] Janos loc. cit., p. 40.

[3] Mao Tse-tung, "Talk With the American Correspondent Anna Louises Strong," "Selected Works," vol. IV Peiping, Foreign Languages Press, 1963, pp. 97–101. Hereafter cited as Mao, "Selected Works," vol. IV (Peiping), in order to distinguish it from the 4th volume of Mao's selected works published by Lawrence and Wishart (London), which covers the period from 1941 to Aug. 9, 1945.

[4] Prior to that time, Mao's pronouncements on international questions generally followed the twists and turns of the Soviet line. See Tang Tsou, "America's Failure in China," Chicago, University of Chicago Press, 1963, pp. 209–216.

[5] "Opening Speech by Liu Shao-ch'i at the Trade Union Congress of Asian and Australian Countries," "For a Lasting Peace, for a People's Democracy," Dec. 30, 1949, p. 14.

[6] For Mao's doctrine on this point, see Mao Tse-tung, "Problems of China's Revolutionary War," "Selected Works," vol. I, London,

minh applied to its own revolutionary war those Chinese methods and precepts which were suitable to Vietnamese conditions, perfected some new tactics of its own, and ultimately defeated the modern, fully-trained, and excellently-equipped French Expeditionary Corps.[7] In the Quemoy crisis of 1958, a timely retreat, an early offer to negotiate, and a unilateral cease-fire declaration by Peiping kept military risks and political costs to a minimum and achieved some political gains.[8] In the military clash over the border with India in 1962, China inflicted a stinging defeat on the Indian forces and then declared a unilateral cease-fire, once again illustrating Mao's strategy of limited victory and restraint. In Laos, the strategy and tactics of the Pathet Lao, both in the coalition government and on the battlefield, seem to have been influenced by Mao's principles and precepts. Finally, several documents issued by the CCP in its dispute with the CPSU confirm that Mao is pursuing against the West a global, long-term strategy of encircling the developed areas from the underdeveloped areas, which amounts to an international projection of his strategy of surrounding the cities from the countryside in the Chinese civil war.[9]

The Chinese Communist leaders are highly conscious of their global revolutionary mission. The late Marshal Lo Jung-hunan, for instance, told cadres at the Chinese Communist political Academy in October 1960:

"At present, revisionism is spreading. The world revolution relies on the thought of Mao Tsetung * * * which belongs not only to China but also has its international implications." [10]

Again, at a conference of top Chinese military leaders, Marshal Yeh Chien-yin declared:

"No other nation in the world has more experience in fighting a war than we. * * * The nations which have not yet been liberated also want to overthrow imperialism and feudalism * * * and to wage armed struggle. They very much need our experience. Therefore, we should sum up our experience in order to hand it down to posterity and present it to our friends." [11]

As this experience is most relevant to the national liberation movements in underdeveloped areas, Peiping accords high priority in its foreign policy to support of these movements. A Chinese Communist military journal implicitly contrasted Peiping's attitude on this issue with that of Moscow in the following terms:

"Toward national liberation movements in colonial and semicolonial countries, there are two different attitudes. One makes the improvement of relations with the West a primary concern and does not support, or gives meager support to, the national liberation movements. The other makes support for national liberation movements a primary concern; it permits some proper dealings with the western countries but considers this a secondary question. Our country adopts the latter attitude, firmly supporting the national liberation movements and opposing colonialism and imperialism. We may have dealings with western countries, but do not bargain away our support for national liberation movements." [12]

Thus, Communist China actively seeks to cultivate close relationships with countries in Asia, Africa, and Latin America, but not with the imperialist powers, particularly the United States. Even the Taiwan question is viewed by Peiping in the broader context of the worldwide struggle against Western imperialism. If Communist China should yield to the United States and let imperialist forces retain their hold on part of her territory, a Chinese statement warns, "her international prestige will drop 10,000 feet" [13]; on the other hand, by refusing to compromise on this issue and keeping Sino-American relations in a stalemate, "we can keep aloft the anti-imperialist banner, freely support the national liberation struggle in the colonial and semicolonial countries, preserve our ability to attract policical support, and stimulate our morale." [14]

Marshal Chen Yi, Chinese Communist Foreign Minister, neatly summed up Peiping's approach to world affairs when he affirmed in September 1964 that Mao's strategic and tactical thinking, together with the policies and general line of the party center, have been the principal guides to Communist China's analysis of international problems over the past 15 years.[15] Hence, it is not surprising that the revolutionary strategy employed by Mao in the internal struggle for the control of China is a recurrent element in Peiping's international behavior.

MAOIST STRATEGY OF REVOLUTION

Mao's success as leader of the Communist revolution in China stemmed largely from two basic qualities: the ability to face reality squarely and the determination to change that reality. On the one hand, he fully realized the gap between his goal and the means at his disposal and harbored no illusions about the relative military strength of the Communists and the Kuomintang, but at the same time correctly discerned the contrast between the Kuomintang's military power and its political weakness. On the other, his determination led him gradually to evolve a set of political-military doctrines, principles, and precepts which would enable the Communists first to survive the attacks of vastly superior Nationalist forces, then to expand their power, and finally to swing the balance of social forces in their favor and attain ultimate victory.

While stressing the indispensability of military power to achieve political purposes and implement political policies, Mao emphasized the primacy of such purposes and policies in order to provide military power with the necessary foundation and direction and to exploit the political weakness of the Kuomintang, thus compensating for the Communists' military inferiority. As his grand strategy, he evolved the concept of surrounding the cities from the countryside and the doctrine of protracted war. Concerning the form of military operations, he developed a doctrine of guerrilla warfare and its gradual transformation into mobile warfare. In military tactics, he stressed retreat and dispersal of forces when necessary to avoid defeat, but concentration of forces when opportunities arose to win battles of quick decision. As his objective on the battlefield, he subordinated the holding or conquest of territory to the annihilation of the enemy's effective strength and the preservation of his own forces. In evaluating the factors making for military success, he advanced the notion of the decisive importance of men rather than of weapons. Regarding appraisal of the enemy's strength, he emphasized the principle that the Communists should not underestimate their enemies with respect to each particular struggle, but on the other hand should not overestimate them from the viewpoint of the overall strategic situation. He stressed the need to combine prudence with revolutionary spirit. To stave off irreversible defeat, he turned the united front doctrine into a rationale for seeking temporary peace with the Kuomintang. To expand Communist influence while avoiding an all-out conflict, he practiced limited war. To transform partial military success into legitimate political gains, he sought a political settlement through negotiations in a favorable climate of opinion created by astute propaganda and a moderate political program. To clinch final victory when the balance of forces could be altered in his favor by large-scale fighting, he accepted all-out war. These doctrines, principles, precepts, and practices were consistent with one another and formed a coherent whole.

THE PRIMACY OF POLITICS

The conquest of political power by armed force required a military strength superior to that of the Kuomintang. But the Kuomintang's greatest strength lay precisely in its military power, while its weaknesses were political, economic, and social. To develop military power in the service of the Communist revolution, it was necessary for the Communists to adopt certain policies designed to exploit the political chaos, economic stagnation, social ferment, and nationalistic sentiments fostered by foreign encroachments. These policies, directed at the most vulnerable chinks in the Kuomintang's armor, would provide the Communists with a political foundation on which to build up their own military power and, in the meantime, would compensate for their military weakness through expanded political influence. Thus, necessity and political expediency reinforced the imperatives of a revolutionary ideology in impelling Mao to stress the paramount importance of the political purpose and policies which military power was employed to achieve.

According to Mao, political purpose gave direction to the armed struggle, differentiated real friends from the real enemy, legitimized the political leadership of the armed forces, and laid the political foundation on which military power must be built. "Without a political goal," he warned, "guerrilla warfare must fail, as it must also fail if its political objectives do not coincide with the aspirations of the people and their sympathy, cooperation and assistance cannot be gained." [16] He further stressed that "any tendency * * * to belittle politics, to isolate war from politics, and to become advocates of 'war is

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Lawrence and Wishart, 1955, pp. 210–253. On the actions of the Chinese Communist forces in Korea, see Roy E. Appleman, "South to the Maktong, North to the Yalu," Washington, D.C., Government Printing Office, 1961, pp. 667–776; S. L. A. Marshall, "The River and the Gauntlet," New York, 1953.

[7] George Modelski, "The Viet Minh Complex," in "Communism and Revolution," op. cit., pp. 207–209; George K. Tanam, "Communist Revolutionary Warfare, the Viet Minh in Indo-China," New York, 1961, pp. 23–28.

[8] Robert W. Barnett, "Quemoy: The Use and Consequences of Nuclear Deterrence" (mimeographed), Center for International Affairs, Harvard University, 1960; Alice Langley Hsieh, "Communist China's Strategy in the Nuclear Era," Englewood, N.J., 1962, pp. 119–130; Tang Tsou, "The Embroilment of Quemoy: Mao, Chiang, and Dulles," Salt Lake City University of Utah Press, 1959.

[9] Tang Tsou, "Mao Tse-tung and Peaceful Coexistence," "Orbis," Spring, 1964, pp. 36–51. For an interpretation of the struggle for power in China, see Tang Tsou, "America's Failure in China," op. cit., pp. 48–56, 127–141, 186–192, 300–311, 401–440.

[10] "Kung-tso t'ung-hsun (Work Correspondence)" No. 8 (Feb. 2, 1961), pp. 16, 17. This is a secret journal for study by cadres of the People's Liberation Army at the regimental level and above.

[11] Ibid., No. 12 (Mar. 10, 1961), p. 4.

[12] Ibid., No. 17 (Apr. 25, 1961), p. 22.

[13] Ibid., p. 25.

[14] Ibid., p. 24.

[15] Chen Yi, "Commemorating the Thirtieth Anniversary of the Publication of Shih-Chieh chih-shih," "Shih-chieh chih-shih," Sept. 10, 1964, p. 1.

[16] Mao, "On Guerrilla Warfare," trans. by Samuel B. Griffith, New York, Praegar, 1961, p. 43.

everything,' is erroneous and must be corrected." [17] To assure the primacy of politics, a strong Communist party must take command of the army.[18]

Mao's political strategy prescribed, first of all, Communist espousal of the agrarian revolution in order to win the support of the peasants.[19] A workers' and peasants' political power must be established in the base areas, he held, to carry out social and economic reforms, to mobilize the masses, and to give support to the army. During the Sino-Japanese War, nationalism provided another powerful tool for mobilizing the masses.[20] The army, Mao taught, not only must fight to destroy the enemy's military strength, but also must "shoulder such important tasks as agitating the masses, organizing them, arming them, helping them to set up revolutionary political power, and even establishing organizations of the Communist Party." [21] In this manner, Mao laid the political foundations for building the military power which would in turn become the chief instrument for carrying through the Communist political revolution.

While there were many twists and turns in the implementation of Mao's political strategy, the essence of that strategy was to "develop the progressive forces, win over the middle-of-the-road forces, and isolate the diehards." [22] Once the intermediate class were won over and the archenemy isolated, the revolutionary forces, it was calculated, would enjoy such overwhelming popular support that their military power could be progressively developed and the balance of military power eventually tipped in favor of the revolution. Mao's mobilization of the peasants and his efforts to win over the intermediate classes did, in fact, draw new groups into the political arena, extended the base of political participation, and ultimately created a coalition of social forces larger and stronger than those supporting the Kuomintang. And, as the balance of armed strength tipped in their favor, the Communists' mounting military success enabled them to win over those whose chief concern was to be on the winning side.

FROM THE COUNTRYSIDE TO THE CITIES

While political goals and policies could provide the foundations for developing Communist military power and direct it toward certain general objectives, they furnished no guidance as to how this power could be used most effectively in terms of military stategy and tactics. On the basis of the lessons taught by both the early successes of Communist forces and the defeats they suffered in the Kuomintang's fifth campaign of encirclement and annihilation, Mao formulated and gradually systematized a strategy of surrounding the cities from the countryside and a doctrine of protracted war.

Mao had first adopted or advocated some of his ideas in opposition to the early leadership of the Chinese Communist Party, which insisted on adhering to policies based in part on Soviet experience and backed by the Communist International. Mao argued that the mechanical application of Soviet military doctrines in China would lead to Communist defeat, and he urged the adoption of a strategy based on the peculiar conditions and characteristics of the Chinese revolution and the Chinese Red Army.[23]

In Mao's view, a basic characteristic of the Chinese revolutionary war differentitated it from revolutions in capitalist countries, including the October Revolution in Russia. In the latter, the first step had been to seize the cities, where proletarian strength was greatest, and then advance into the countryside. In China, however, the correct strategy was "to employ our main forces to create rural bases, surround the cities from the countryside, and use the bases to expedite the nationwide revolutionary upsurge." [24] Mao set forth the rationale for his strategy:

"Since powerful imperialism and its allies, the reactionary forces in China, have occupied China's key cities for a long time * * * they the revolutionary forces must build the backward villages into advanced, consolidated base areas, into great military, political, economic, and cultural revolutionary bastions, so that they can fight the fierce enemy who utilizes the cities to attack the rural districts, and, through a protracted struggle, gradually win an overall victory for the revolution." [25]

If the Kuomintang's hold on the urban centers was strong, its control over the vast rural areas was weak. By devoting themselves "mainly to rural work," [26] the Communists exploited this fatal weakness and gradually built up a peasant army strong enough to defeat the Kuomintang.

Mao realized that the strategy of surrounding the cities from the countryside would take a long time, and he therefore developed his doctrine of protracted struggle. As Mao envisaged it in 1936, the struggle would take the form of a prolonged alternation between Nationalist campaigns of "encirclement and annihilation" directed against the Communists and Communist counter-campaigns.[27] This pattern, he predicted, would come to an end when the Red Army finally became stronger than the enemy and could launch its own campaign of encirclement and annihilation, against which the Kuomintang would be powerless because it lacked the political requisites for a successful countercampaign. This forecast was eventually borne out in late 1948 and 1949.

Mao's doctrine of protracted war rested upon simple principles governing tactics and battlefield objectives. The tactics prescribed for the period of Communist military inferiority were summed up in the now famous formula: "The enemy advances, we retreat; the enemy halts, we harass; the enemy tires, we attack; the enemy retreats, we pursue." Implicit in these tactics was the principle that the Communists' priority objective in battle was the preservation of their forces rather than the defense of Communist-held territory. Similarly, as Communist military strength increased and the guerrilla bands developed into regular units, greater stress was to be placed on the annihilation of enemy forces rather than the mere expansion of Communist territorial control. Mao's general plan of operations was to execute a strategic retreat deep into the Communist base areas in order to facilitate the concentration of his forces and create favorable conditions for defeating the enemy in a battle of quick decision, to be followed by a strategic counteroffensive.[28]

The doctrine that men rather than weapons are the decisive factor in war was fully consistent with the nature of guerrilla warfare, in which popular support is an essential ingredient of success. This doctrine, in turn, required a complementary set of psychological attitudes: On the one hand, cautious realism in estimating the enemy's present strength; on the other, confidence in his ultimate vincibility. Mao, in 1948, synthesized this balance of psychological elements as follows:

"If, with regard to the whole, we overestimate the strength of our enemy and hence do not dare to overthrow him and do not dare to win victory, we shall be committing a right-opportunist error. If, with regard to each part, each specific problem, we are not prudent, do not carefully study and perfect the art of struggle, do not concentrate all our strength for battle * * * we shall be committing a 'left'-opportunist error." [29]

In 1957, he restated this thought in the principle that "strategically we should take all enemies lightly, but tactically take them seriously." [30]

ARMED STRUGGLE AND POLITICAL STRUGGLE

The overriding questions of political-military policy in a protracted struggle were when to seek peace, when to fight a war, and what form the war should take. In the course of the Communist revolutionary struggle against the Kuomintang, Mao found himself confronted by three different political-military situations and adopted three different policies to cope with them. In a sense, these policies paralleled the usual alternatives open to states acting on the international plane under analogous circumstances: To seek peace, to fight a limited war, or to accept all-out war. But on a deeper level of analysis, Mao's conception of these alternatives was demonstrably different. For him, seeking peace meant merely the cessation of all-out war and did not preclude limited armed clashes. Conversely, limited war was waged under the concept of "peaceful struggle": The threat or use of force on a limited scale was a fairly constant feature of Mao's practice of "peaceful struggle" rather than a last resort employed only when nonviolent measures failed.[31]

Thus, in Mao's view, peace was as much a form of struggle as war, and emphasis could be shifted from one to the other in varying degrees depending upon the precise requirements of the existing situation. The essence of Mao's thought on this question has been succinctly summed up by Li Wei-han in the following words:

"In order to defeat the enemy we must * * * be adept at choosing the most advantageous forms of struggle. The working-class party must arm itself to the teeth * * * with all the means and methods of struggle so as to be able to make timely changes in the form of struggle to suit changes in the situation. The forms of struggle can be divided into main and secondary, and which should be the main and which should be secondary differs under different historical conditions in different countries. The working class and the Communist Party must be good at mastering the main form of struggle under the historical conditions of the time and properly coordinating it with other forms of struggle; only

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[17] Mao, "On Protracted War," "Selected Works," vol. II, p. 158.

[18] Mao, "Problems of War and Strategy," ibid., p. 228.

[19] Mao, "The Struggle in the Chingkang Mountains," "Selected Works," vol. I, pp. 74, 80; "A Single Spark Can Start a Prairie Fire," ibid., p. 117.

[20] Chalmers Johnson, "Peasant Nationalism and Communist Power," Stanford, Stanford University Press, 1962.

[21] Mao, "On the Rectification of Incorrect Ideas in the Party," "Selected Works," vol. I, p. 106.

[22] Mao, "Selected Works," vol. III, p. 194.

[23] Mao "Strategic Problems of China's Revolutionary War," "Selected Works," vol. I, pp. 177, 192.

[24] Mao, "Selected Works," vol. IV, pp. 178, 193–4, 197.

[25] Mao, "The Chinese Revolution and the Chinese Communist Party," "Selected Works," vol. III (London, 1954), p. 85.

[26] Mao, "Selected Works," vol. IV, pp. 190–5.

[27] Mao, "Problems of China's Revolutionary War," "Selected Works," vol. I, pp. 198–203.

[28] Ibid., pp. 203–48.

[29] Mao, "Selected Works," vol. IV (Peiping), pp. 181–2.

[30] Comrade Mao Tse-tung on "Imperialism and All Reactionaries are Paper Tigers," Peiping, Foreign Languages Press, 1961, pp. 25–6.

[31] Alice Langley Hsieh, "Communist China and Nuclear Force," Rand Corp., p. 9.

by so doing can they deal the enemy effective blows and firmly maintain the leadership of the revolution." [32]

From 1927 up to the establishment of the second united front in 1937, the main form of struggle employed by the Chinese Communists was armed struggle, primarily as an instinctive response to the Kuomintang's policy of suppressing the Communists by force. From 1937 to July 1946, "peaceful political struggle" supplanted armed struggle as the main form, Mao's policy and initiative playing a large role in the transition, as we shall see. From July 1946 the main emphasis reverted to armed struggle, principally in response to the Kuomintang's postwar attempt to expel the Communists from stategic areas and its use of relentless military pressure to force the Communists to accept a political-military fait accompli. This Kuomintang policy was itself a response to Mao's prior resort to limited military actions (under the aegis of "peaceful struggle") for the purpose of expanding the territory under Communist control. Mao in 1946 shifted to all-out war when he saw that "peaceful struggle" was no longer advantageous to the Communists and that there was now a good chance of defeating the Kuomintang in a prolonged armed conflict despite continued Nationalists superiority in number of troops and arms. Limited war was therefore escalated into all-out war. The transitions in both 1937 and 1946 marked the culminations of fluctuating events and Communist moves over fairly long periods during which Mao had been preparing for the next main form of struggle.

Mao was adept not only in alternating the main form of struggle in the light of changing conditions, but also in blending and coordinating the methods of peaceful (i.e., political) and armed struggle in an integrated course of action. This coordination of the two forms of struggle to achieve a political objective was one corollary of Mao's general principle that military power is indispensable to the accomplishment of a political purpose and that, conversely, political purpose must govern the use of military power. Its effect was to make force a constant instrument to be used in conjunction with other methods.

Thus, in the period from 1927 to 1937, when the main emphasis was on armed struggle, political struggle—in the specific form of appeals and agitation for cessation of the civil war—was intensified and broadened as the military fortunes of the Communists ebbed and the possibility of total defeat drew closer.[33] This Communist political effort was facilitated by the political conditions created in China by Japan's aggressive actions: i.e., by the rising tide of Chinese nationalism demanding internal unity in the face of foreign aggression and opposing Chiang Kai-shek's policy of subordinating resistance against Japan to suppression of the Communists, and by consequent policy divisions within the Kuomintang. Mao's political maneuvers were instrumental in bringing about the Sian incident of December 1936, which forced Chiang to agree to an informal truce in the civil war against the Communists.

After the outbreak of the Sino-Japanese war in July 1937, the informal truce between the Kuomintang and the Communists developed into a formal united front, officially established in September 1937. The united front agreement, on its surface, committed the Communists to full political and military support of the Kuomintang in the war against Japan, but Mao never intended it to mean wholehearted Communist cooperation with, or unconditional obedience to, the Nationalist Government. Rather, it was to be merely a temporary alliance based on the "independence and antonomy" of the Chinese Communist Party.[34] Thus, the Communists never relinquished their absolute and exclusive control over the Communist military units and base areas, and the Communist armies were instructed from the outset to conduct guerrilla operations on their own initiative and independently of the Nationalist military command.[35] Nor did Mao's united front policy exclude continued Communist "struggle against the Kuomintang." On the contrary, it called for the active pursuit of "'peaceful' and 'bloodless' struggle waged along ideological, political, and organizational lines," [36] and even—in certain situations—for resort to limited armed struggle. Thus, for the Communists, the united front meant merely that "peaceful political struggle" was for the time being the main form of struggle, and armed struggle the secondary or subordinate form.

An essential feature of Mao's doctrine of limited armed struggle was the requirement that Communist military activity be carefully regulated so as to achieve a strengthening of the Communist position vis-a-vis the Kuomintang without incurring undue risk of all-out war. Thus, the doctrine stressed that limited armed struggle must be primarily defensive in character (though not excluding counterattack); that it must be undertaken only when the Communists were adequately prepared and certain of a favorable outcome; and that the Communists, after gaining the advantage in a particular armed conflict, should quickly take the initiative in seeking to negotiate a temporary peace in order to limit the duration of hostilities and conserve Communist strength. The effect of this policy in practice was to punctuate armed clashes between the Communists and the Kuomintang with periodic "peace" negotiations in which "peaceful political struggle" temporarily supplanted armed struggle as the immediate method of advancing Communist aims. The fourfold objective of such negotiations was to prevent the escalation of limited conflict into all-out war; to gain formal recognition of some of the gains achieved by force of arms; to influence public opinion by a show of restraint and moderation; and finally to win time and political support for an all-out civil war, if it did come. Political bargaining thus became an inseparable complement to the military struggle. Mao's policy of seeking a political settlement while using military power to strengthen the Communist bargaining position and preparing for all-out war was clearly in evidence during the period between the summers of 1945 and 1946.

The Chinese Comunist decision to shift to armed conflict as the principal form of struggle can be traced to a Central Committee innerparty directive of July 20, 1946, drafted by Mao, which called on the Communists to smash Chiang's offensive. Yet even the placing of primary emphasis on armed struggle was not incompatible with further negotiations provided they could be turned to Communist advantage. The negotiations which the Communists conducted with the Kuomintang in the latter half of 1946 and again in the early months of 1949 obviously represented a secondary resort to methods of "peaceful political struggle" simultaneous with and supplementing the use of armed force as the main form of struggle. Other examples of the secondary use of political methods of struggle were the Communist efforts to induce defections through secret contacts and understandings with Kuomintang officers; attempts to secure the piecemeal surrender of local Nationalist commanders through separate peace agreements; and the consistent Communist policy of granting lenient treatment to prisoners of war as part of an effort to induce them to join the Communist forces.

The central aim of the political struggle waged by the Communists in this period of the civil war was to build up a "very broad united front of the whole nation" against Chiang's government by winning over "all those who can be won over." The front was to embrace 90 percent of the people, isolating the small remaining group of reactionaries, and was to be led by the Communist Party.[37] The effectiveness of this political effort was such that, by the time the Communists were preparing to organize a new central government in 1949, Mao could declare, not without some justification:

"The Chinese revolution is a revolution of the broad masses of the whole nation. Everybody is our friend except the imperialists, the feudalists, and the bureaucrat-capitalists, the Kuomintang reactionaries, and their accomplices." [38]

There is little doubt that the Communists' political struggle to forge a united front helped them to gain victory in the armed struggle, while conversely their military success aided them in broadening and deepening the "revolutionary united front."

In waging political struggle as a supplement to armed struggle, Mao also was preparing for the transition once again from war to peace. The united front effort during the final phase of the armed struggle served to rally popular support for the Communists, to enlist non-Communist participation in the new regime, to retain the help of ex-Kuomintang personnel in running various agencies, to reassure businessmen and industrialists, and to minimize economic and administrative dislocation.

PEIPING'S GLOBAL STRATEGY: PROSPECTS AND PROBLEMS

Since coming to power, the Chinese Communists have vigorously sought to propagate their own successful strategy of revolution as an appropriate model to be followed by revolutionary movements in other colonial or semicolonial countries of Asia, Africa, and Latin America. To what extent is this claim justified? The answer depends, in part, on whether the objective conditions which made the success of the Chinese Communists possible exist or will emerge in these countries.

One of the most important of these conditions was the political weakness of the government in power. There is little doubt that the existing regimes in many underdeveloped countries are characterized by a similar weakness; but, as the example of the Chinese Nationalist regime itself up to 1937 shows, a politically weak but militarily strong government can still manage to consolidate its rule against relatively feeble opposition. In the last analysis, the decisive factor in undermining the Nationalist government in

[32] Li Wei-han, "The Struggle for Proletarian Leadership in the Period of the New-Democratic Revolution in China," Peking Review, Mar. 2, 1962, p. 12. The first installment of this article appeared in the Feb. 23, 1962, issue. The article is one of the most significant and revealing published by the Chinese Communists on their revolutionary strategy and tactics.

[33] Mao, "Selected Works," vol. I, pp. 153–74, 354–7, 368–74; Charles B. McLane, "Soviet Policy and the Chinese Communists," 1931–36, New York, Columbia University Press, 1958, pp. 64–5.

[34] Mao Tse-tung, "Selected Works," vol. II (new ed., London, 1958), pp, 67, 69, 218–22. For a discussion of this principle in its historical context, see Tang Tsou, "America's Failure in China," op. cit., pp. 137–41.

[35] Mao, "Selected Works," vol. II, p. 67.

[36] Mao, "Introductory Remarks to The Communist," "Selected Works," vol. III, p. 59.

[37] Mao, "The Present Situation and Our Tasks" (Report to the CCP Central Committee, December 1947), "Selected Works," vol. IV (Peiping), pp. 171–2.

[38] Mao, "Selected Works," vol. IV (Peiping) pp. 220, 225–6, 407.

China and enabling the Chinese Communist Party to build up sufficient strength to overthrow it was the Sino-Japanese war. This suggests that a prolonged external conflict, or a war of national liberation, or possibly a civil war between two nonCommunist groups, markedly enhances the applicability and chances of success of the Maoist model of revolution. It is perhaps for this reason that the Chinese Communists profess to see a progressive intensification of conflicts and contradictions everywhere in the non-Communist world—conflicts among the capitalist countries, between newly independent nations and the Western Powers, between colonial or semicolonial countries and the "imperialist" powers.

A less important but by no means negligible factor in Mao's victory was the acquisition by the Communists of captured Japanese arms handed over to them by the Soviet forces in Manchuria after Japan's surrender. This points to the role of the geographical contiguity of areas controlled by revolutionary forces to the territory of an established Communist state. In the case of Vietnam, this factor admittedly has vital importance today. Finally, Mao's march to power was aided by the fact that Western policy placed very few obstacles in his way. These, then, were the four principal objective conditions which contributed to the success of the Maoist strategy of revolution in China. The extent to which analogous conditions do or do not exist in any particular country must obviously affect the prospects for the successful application of that strategy elsewhere in Asia, Africa, or Latin America.

If one looks beyond the prospects for Maoist-type revolutions in individual countries to the global situation, there are formidable obstacles which Mao must overcome or else face the eventual failure of his foreign policy. Unlike the Kuomintang, his two chief international antagonists at the present time, the United States and the Soviet Union, represent dynamic forces in the world arena; both are politically and militarily strong. Mao's military strategy and tactics, moreover, were developed for guerrilla and mobile warfare with conventional weapons and are totally inapplicable to all-out war in the nuclear age, even for the defense of the Chinese mainland. While official Chinese doctrine has been modified somewhat in the light of nuclear weapons development, some Chinese military leaders have argued that this adaptation does not go far enough.[39]

The basic obstacle in the path of Mao's attempt to apply his political-military strategy on a worldwide scale is, however, the system of national states itself. It was the inherent conflict between the universalist pretensions of communism and the nation-state system which in the first place produced Mao's own "creative application" of Marxism-Leninism to the concrete conditions of China. Yet, Mao now insists upon the correctness, for the whole Communist camp, of a political-military strategy based largely on the particular experience of the Chinese revolution, and this has disrupted the unity of the camp. Again, although Mao effectively exploited the forces of nationalism in his bid for power in China and now seeks to turn these forces against the West in other areas of the world, nationalism is also likely to become a formidable obstacle to his own international ambitions as fear of Chinese expansionism grows. The further he tries to move beyond the area of traditional Chinese cultural hegemony, the more formidable will the barriers of nationalism become.

Thus, the attempted projection of Mao's revolutionary strategy into the international arena is a factor which, quite apart from the Marxist-Leninist ideology, complicates Peiping's adjustment to the system of national states. Peiping's leaders undoubtedly realize that it will be necessary for Communist China to live with that system for a long time to come, but their tendency to see the international situation and to fashion their foreign strategy in the light of their own revolutionary experience inhibits their understanding of the rules that govern the conduct of national states. Maoist revolutionary strategy was developed in a civil war in which the contending groups were not separated by any national boundaries. Yet the strategy and tactics employed in a conflict within a single country, however moderate or cautious, are not always applicable in the international arena. Indeed, a given strategy or tactic adopted in the struggle against a political group or party may have completely different implications and consequences when applied against a foreign power.

Many of the discrepancies between Peiping's professions and actions arise not so much from hypocrisy as from the conflict between the need to live with the system of national states and the tendency to project Mao's revolutionary strategy abroad. Thus, Peiping loudly denies that revolution can be exported, yet at the same time it advocates and supports "national liberation movements" everywhere. It proclaims the "five principles of peaceful coexistence," which embody the generally recognized rules of international behavior; yet in its actions it constantly violates the spirit and the letter of these principles.

The Chinese Communists' whole understanding of war and peace is filtered through their revolutionary experience, their concept of armed and "peaceful" struggle, and their propensity to use force as a constant instrument of policy.[40] They denounce solutions of international issues based on the concept of spheres of influence—even if Communist China is given her fair share—and in so doing, they reject a time-honored and widely accepted method of resolving conflicts within the nation-state system.

The Chinese Communists' projection of their revolutionary strategy abroad is a more systematic and self-conscious expression of the general tendency of many peoples to see others as they see themselves, to judge foreign events and institutions by their own standards, and to understand developments in other countries and societies in terms of their own experience. This tendency has often produced deleterious results as much for those who have practiced it as for those at whom it has been directed. In the 19th century, Western traders and missionaries, backed with force by their governments, introduced alien ideas and values into China, disrupting the Confucian order; and the disintegration of the traditional social and political system eventually doomed Western hopes of seeing the emergence of a China fashioned after the image of a Christian, democratic nation. Instead, social, political, and economic chaos gave rise to a totalitarian regime at odds with the traditions of its own country as well as bitterly hostile to the outside world.

The tendency of a successful revolutionary elite to project its way of life abroad, to view the oustide world in terms of its self-image, is particularly pronounced. Such an elite finds adjustment to the international environment difficult. It is given to creating disturbances in the system of national states, and especially in the balance of power. The Chinese Communist Party is no exception to this rule. Mao's revolutionary strategy will tend to make Communist China a disruptive influence in world politics for some time to come and will delay its adjustment to the established norms of international behavior. In the meantime, Communist China will be a formidable force to reckon with, and Mao's strategy will pose a serious challenge to the stability and peace of the world.

MAO ON LIMITED WAR

We must pay attention to the following principles of self-defense. We shall never attack unless attacked; if attacked, we shall certainly counterattack. That is to say, we must never attack others without provocation; but once we are attacked, we must never fail to return the blow. Herein lies the defensive nature of the struggle. As to the military attacks of the die-hards, we must resolutely, thoroughly, utterly, and completely smash them. Secondly, the principle of victory. We do not fight unless we are sure of victory; we must on no account fight without preparation and without certainty of the outcome. We should know how to utilize the contradictions among the die-hards and must not deal blows to many sections of them at the same time; we must pick out the most reactionary section to strike at first. Herein lies the limited nature of the struggle. Thirdly, the principle of truce. After we have repulsed the attack of the die-hards and before they launch a new one, we should stop at the proper moment and bring that particular fight to a close. In the period that follows, we should make a truce wth them. Then we should on our own initiative seek unity with the die-hards and, upon their consent, conclude a peace agreement with them. We must on no account fight on daily and hourly without stopping, nor become dizzy with success. Herein lies the temporary nature of every particular struggle. Only when the die-hards launch a new offensive should we retaliate with a new struggle. In other words, the three principles are justifiability, expediency and restraint. Persisting in such justifiable, expedient, and restrained struggles, we can develop the progressive forces, win over the middle-of-the-road forces, isolate the die-hard forces and make the die-hards chary of heedlessly attacking us * * * or heedlessly starting a large-scale civil war. And we can in this way win a favorable turn in the situation. (Mao Tse-tung, "Selected Works," vol. III, p. 199.)

[From the New York Times, Sept. 3, 1965]

PEIPING DECLARES VIETNAM IS FOCUS OF ANTI-U.S. FIGHT—NEW STATEMENT OF MILITARY DOCTRINE SAYS WAR THERE IS PART OF ENCIRCLEMENT

(By Seymour Topping)

HONG KONG, September 2.—Communist China declared today that its support of revolutionary wars in underdeveloped countries was a strategy directed at the eventual encirclement of the United States and Western Europe.

In a new statement of military doctrine, Peiping said that the focus of this worldwide revolutionary struggle was now in Vietnam.

The war in Vietnam demonstrates that a "people's war" in Asia, Africa, or Latin America can be waged successfully against the United States, the statement asserted.

These definitions of Chinese Communist global strategy were contained in an article by Marshal Lin Piao, Minister of Defense, a deputy chairman of the Communist Party and a Deputy Premier.

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[39] Morton H. Halperin, "China and the Bomb," New York(Praeger, 1965, pp. 24–82. See also Hsieh, "Communist China's Strategy in the Nuclear Age," op. cit.; David Charles, "The Dismissal of Marshal P'eng Teh-huai," China Quarterly (London), October–December 1961, p. 65.

[40] Marshal Lo Jung-huan claimed that no better discussion of the question of war and peace is to be found than in a speech by Mao in 1945 which dealt with CCP-Kuomintang relations and the civil war in China. "Work Correspondence," No. 8 (Feb. 6, 1961), p. 17.

An extensive summary of the article, marking the 20th anniversary of the World War II victory over Japan, was distributed by Hsinhua, the Chinese Communist press agency.

ALL PAPERS TO PRINT TEXT

The text, of more than 50,000 words, is to be published tomorrow in Jenmin Jih Pao, the party newspaper; Hung Chi, ideological journal of the Central Committee, and all provincial and municipal newspapers throughout the country.

Marshal Lin stated that the outlook for a worldwide revolutionary movement against the United States was more favorable than ever before and that the application of the theories of Mao Tse-tung, the chairman of the party, could result in an overcoming of the superior material strength of the industrial powers of North America and Western Europe.

The article reviewed the military strategy of Mr. Mao, which holds that revolutionary bases must be established in rural areas so that cities can be encircled from the countryside. This technique was employed successfully in the war against Japan and in the civil war against the Chinese Nationalists.

THEORY RELATED TO PRESENT

Marshal Lin then stated that the Mao theory was "of outstanding and universal practical importance for present revolutionary struggles." He wrote:

"Take the entire globe—if North America and Western Europe can be called cities of the world then Asia, Africa, and Latin America constitute rural areas of the world.

"Since World War II, the proletarian revolutionary movement has for various reasons been temporarily held back in North America and the West European capitalist countries while the people's revolutionary movement in Asia, Africa, and Latin America has been growing vigorously.

"In a sense, the contemporary world revolution also present a picture of the encirclement of cities by rural areas."

The marshal added:

"In the final analysis, the whole cause of world revolution hinges on the revolutionary struggles of the Asian, African, and Latin American peoples, who make up the overwhelming majority of the world's population. The Socialist countries should regard it as their internationalist duty to suport the people's revolutionary struggle in Asia, Africa, and Latin America.

PENG HINTED AT DOCTRINE

The first hint that this doctrinal statement would be forthcoming was given in a speech made last May by Peng Chen, mayor of Peiping and a Politburo member, at the Jakarta celebration of the 45th anniversary of the founding of the Indonesian Communist Party.

Mr. Peng asserted:

"To win victory in the world revolution, the proletariat must attach great importance to revolutions in Asia, Africa, and Latin America—that is, to revolutions in the world's rural areas, and there is no other path."

This reference in his speech attracted little public attention, although it aroused the interest of analysts here.

Marshal Lin's article elaborates on the theory that has become Chinese Communist dogma. In essence, it conflicts with the global pattern of Marxist-Leninist theory, adhered to by Moscow, that the proletariat must lead the revolution, and subscribes to the Maoist theory that it must be based on the peasantry.

SOVIET POSITION RIDICULED

The article accused the Soviet leadership of collaborating with the United States in opposing people's wars. It ridiculed what it described as an untrue assertion of Khrushchev revisionists that a single spark on any part of the globe may touch off a world nuclear conflagration and bring destruction to mankind.

Expressing determination to stand by the Vietnamese Communists, Marshal Lin declared that his forces were prepared for any U.S. attack.

"We want to tell the United States imperialists once again that a vast ocean of several hundred million Chinese people in arms will be more than enough to submerge your few million aggressor troops," he asserted. "If you dare to impose war on us we shall gain freedom of action. It will then be up to you to decide how the war will be fought. We shall fight in ways most advantageous to us to destroy the enemy and wherever the enemy can be most easily destroyed."

The article asserted that a world war would result only in the turning of hundreds of millions of people to communism and the doom of the United States.

[From the New York Times, Sept. 4, 1965]

RED CHINA URGES A PEOPLE'S WAR—EXHORTS VIETNAM AND OTHERS TO STRIKE AT UNITED STATES WITHOUT FEAR OF NUCLEAR REPLY

(By Seymour Topping)

HONG KONG, September 3.—Communist China urged the Vietnamese Communists and other leftist revolutionaries today to strike at U.S. forces without fear of nuclear retaliation.

Marshal Lin Piao, Defense Minister, asserted in a major doctrinal article that the American "colossus" could be defeated "piece by piece" by what he termed "people's wars" in Asia, Africa, and Latin America. He said the United States would refrain from using its nuclear weapons because of a fear of international censure.

Peiping newspapers devoted 3½ pages this morning to the text of the article commemorating the 20th anniversary of the surrender of Japan. The article also was published by Hung Chi, journal of the central committee, and all municipal and provincial newspapers.

A summary of the statement was distributed yesterday by Hsinhua, the Chinese Communist press agency, and reported in today's issue of the New York Times.

Experts on Communist China said that the article, which was published with front-page photographs of Mao Tse-tung, head of the Communist Party, was intended to elevate the Peiping leader to the rank of principal architect of world revolution.

While the Vietnamese Communists and other revolutionaries are spurred to violent armed struggle against the United States and its allies, the article displays a great degree of caution in committing Communist China to direct involvement.

This is particularly apparent in references to the war in Vietnam. The article states that the Chinese people will do all in their power to aid the Vietnamese people in compelling the departure of the last American soldier. However, there is no specific commitment by the Peiping Government, nor is there any allusion to an earlier offer to send "volunteers" and war materiel to Vietnam.

Propounding new dogma, the article by Marshal Lin held that the Maoist theory of revolutionary war should be applied as the basic strategy of achieving world communism. It declared that so-called liberation wars in Asia, Africa, and Latin America must be employed to encircle the industrial powers of North America and Western Europe.

This concept was described as growing from the tested Mao strategy of striking from rural bases at cities held by an enemy.

RUSSIANS CALLED CAPITULATORS

The dogma implies that Peiping would become at least the doctrinal center of an envisioned world order. Marshal Lin denounced Moscow, once the center of the international Communist movement, as now dominated by a heretical philosophy opposed to "people's wars" and dedicated to capitulation before U.S. power.

Specialists here said the article contained contradictions suggesting that Mr. Mao, who is 71 years old, has encountered frustrations in a practical attainment of his goals and was consoling himself by spinning out his theory to its ultimate extensions.

In doctrinal terms, the article warns revolutionaries that in people's wars "it is imperative to adhere to a policy of self-reliance." It declared that revolutionaries must "be prepared to carry on the fight independently even when all material aid from outside is cut off."

"If one does not operate by one's own efforts," it added, "does not independently ponder and solve problems of revolution in one's own country and does not rely on the strength of the masses but leans wholly on foreign aid—even though this be aid from Socialist countries that persist in revolution—no victory can be won or be consolidated even if it is won."

UNITED STATES AND SOVIET SCORNED

Marshal Lin expresses contempt of both the United States and the Soviet Union for their reliance on nuclear weapons and rockets.

In urging people's wars, the marshal assures revolutionaries that "in the final analysis the outcome of a war will be decided by the sustained fighting of the ground forces, by the fighting at close quarters on battlefields, by the political consciousness of the men, by their courage and spirit of sacrifice."

Vietnam is cited as an example where American power is being frustrated by a "people's war."

While expressing confidence in the ability of the Chinese Communist forces to defeat the "few million aggressor troops" of the United States, Marshal Lin makes it clear that Peiping intends to fight with the United States only if war is imposed by Washington.

The article warns that, apart from the United States, there are others that possess nuclear weapons. But, oddly, the marshal does not directly repeat earlier assertions of Peiping that it possessed nuclear arms. Communist China has carried out two nuclear tests.

The article asserted that the United States has been "condemned by the people of the whole world for its towering crime of dropping two atom bombs on Japan."

PEIPING TAKES VICTORY CREDIT

At no point in the article of more than 50,000 words does Marshal Lin specifically give credit to the United States for the World War II victory over Japan. He assigns the role of the "main force" in the victory to Chinese Communist troops and asserts that it was only the Maoist theories that enables a weak country to overcome such a powerful country as Japan.

Although the article repeatedly states that the peoples of Asia, Africa and Latin America are turning in growing numbers to the Mao theory of "people's war," analysts here have noted recently in statements by Peiping manifestations of feelings of increased isolation.

The Chinese Communist leadership may have been disturbed by hints that North Vietnam is considering a negotiated settlement of the war.

The refusal of African and Asian leaders at the postponed conference in Algiers to follow Peiping's lead may have stirred some doubts in the minds of the Chinese Communists about the effectiveness of their propaganda.

Premier Chou En-lai in a speech last night complained about the use being made of Asian and African countries by the United States and others to sound out North Vietnam on peace negotiations.

There have also been reports recently of a coolness in relations between Communist China and North Korea, which once was one of Peiping's closest supporters in the ideological quarrel with Moscow.

[From the New York Times, Sept. 4, 1965]

EXCERPTS FROM PEIPING DECLARATION URGING WORLD PEOPLE'S WAR TO DESTROY UNITED STATES

(PEIPING, September 3 (Reuters).—Following are excerpts from an article by the Chinese Communist Defense Minister, Marshal Lin Piao, published in all major Chinese newspapers today and made available in English by Hsinhua, the official press agency.)

It was on the basis of the lessons derived from the people's wars in China that Comrade Mao Tse-tung, using the simplest and most vivid language, advanced the famous thesis that "political power grows out of the barrel of a gun."

He clearly pointed out:

The seizure of power by armed force, the settlement of the issues by war, is the central task and the highest form of revolution. This Marxist-Leninist principle of revolution holds good universally, for China and for all other countries.

War is the product of imperialism and the system of exploitation of man by man. Lenin said that "war is always and everywhere begun by the exploiters themselves, by the ruling and oppressing classes."

So long as imperialism and the system of exploitation of man by man exist, the imperialists and reactionaries will invariably rely on armed force to maintain their reactionary rule and impose war on the oppressed nations and peoples. This is an objective law independent of man's will.

READINESS TO GO TO WAR IS MARXIST TOUCHSTONE

In the last analysis, whether one dares to wage a tit-for-tat struggle against armed aggression and suppression by the imperialists and their lackeys, whether one dares to fight a people's war against them means whether one dares to embark on revolution. This is the most effective touchstone for distinguishing genuine from fake revolutionaries and Marxist-Leninists.

In view of the fact that some people were afflicted with the fear of the imperialists and reactionaries, Comrade Mao Tse-tung put forward his famous thesis that "the imperialists and all reactionaries are paper tigers."

In appearance, the reactionaries are terrifying but in reality they are not so powerful. From a long-term point of view, it is not the reactionaries but the people who are really powerful.

The history of the people's war in China and other countries provides conclusive evidence that the growth of the people's revolutionary forces from weak and small beginnings into strong and large forces is a universal law of development of the class struggle, a universal law of development of the people's war. A people's war inevitably meets with many difficulties, with ups and down and setbacks in the course of its development, but no force can alter its general trend toward inevitable triumph.

Comrade Mao Tse-tung points out that we must despise the enemy strategically and take full account of him tactically.

To despise the enemy strategically is an elementary requirement for a revolutionary. Without the courage to depise the enemy and without daring to win, it will be simply impossible to make a revolution and wage a people's war, let alone to achieve victory.

THESIS OF "PAPER TIGER" CALLED LIGHT OF TRUTH

The imperialists are extremely afraid of Comrade Mao Tse-tung's thesis that "imperialism and the reactionaries are paper tigers" and the revisionists are extremely hostile to it. They all oppose and attack this thesis and the Philistines follow suit by ridiculing it. But all this cannot in the least diminish its importance. The light of truth cannot be dimmed by anybody.

Comrade Mao Tse-tung's theory of the people's war solves not only the problem of daring to fight a people's war, but also that of how to wage it.

Comrade Mao Tse-tung is a great statesman and military scientist, proficient at directing war in accordance with its laws. By the line and policies, the strategy and tactics he formulated for the people's war, he led the Chinese people in steering the ship of the people's war past all hidden reefs to the shores of victory in most complicated and difficult conditions.

It must be emphasized that Comrade Mao Tse-tung's theory of the establishment of rural revolutionary base areas and the encirclement of cities from the countryside is of outstanding and universal practical importance for the present revolutionary struggles of all the oppressed nations and peoples, and particularly for the revolutionary struggles of the oppressed nations and peoples in Asia, Africa, and Latin America against imperialism and its lackeys.

Many countries and peoples in Asia, Africa, and Latin America are now being subjected to aggression and enslavement on a serious scale by the imperialists headed by the United States and their lackeys. The basic political and economic conditions in many of these countries have many similarities to those that prevailed in old China. As in China, the peasant question is extremely important in these regions. The peasants constitute the main force of the national-democratic revolution against the imperialists and their lackeys.

In committing aggression against these countries, the imperialists usually begin by seizing the big cities and the main lines of communication, but they are unable to bring the vast countryside completely under their control. The countryside, and the countryside alone, can provide the broad areas in which the revolutionaries can maneuver freely.

The countryside, and the countryside alone, can provide the revolutionary bases from which the revolutionaries can go forward to final victory. Precisely for this reason, Comrade Mao Tse-tung's theory of establishing revolutionary base areas in the rural districts and encircling the cities from the countryside is attracting more and more attention among the people in these regions.

Taking the entire globe, if North America and Western Europe can be called "the cities of the world," then Asia, Africa, and Latin America constitute "the rural areas of the world."

Since World War II, the proletarian revolutionary movement has for various reasons been temporarily held back in the North American and West European capitalist countries, while the people's revolutionary movement in Asia, Africa, and Latin America has been growing vigorously. In a sense, the contemporary world revolution also presents a picture of the encirclement of cities by the rural areas.

The October revolution in Russia opened up a new era in the revolution of the oppressed nations. The victory of the October revolution built a bridge between the Socialist revolution of the proletariat of the West and the national-democratic revolution of the colonial and semi-colonial countries of the East. The Chinese revolution has successfully solved the problem of how to link up the national democratic with Socialist revolution in the colonial and semi-colonial countries.

Comrade Mao Tse-tung has pointed out that, in the epoch since the October revolution, anti-imperialist revolution in any colonial or semicolonial country is no longer part of the old bourgeois, or capitalist world revolution, but is part of the new world revolution, the proletarian-Socialist world revolution.

Comrade Mao Tse-tung has formulated a complete theory of the new democratic revolution. He indicated that this revolution, which is different from all others, can only be, nay must be, a revolution against imperialism, feudalism, and bureaucrat capitalism waged by the broad masses of the people under the leadership of the proletariat.

This means that the revolution can only be, nay must be, led by the proletariat and the genuinely revolutionary party armed with Marxism-Leninism, and by no other class or party.

This means that the revolution embraces in its ranks not only the workers, peasants, the urban petit bourgeoisie, but also the national bourgeoisie and other patriotic and anti-imperialist democrats.

This means, finally, that the revolutions directed against imperialism, feudalism, and bureaucrat capitalism.

The new democratic revolution leads to socialism, and not to capitalism.

Comrade Mao Tse-tung's theory of the new democratic revolution is the Marxist-Leninism theory of uninterrupted revolution.

Comrade Mao Tse-tung made a correct distinction between the two revolutionary stages, i.e., the national-democratic and the Socialist revolutions, and he correctly and closely linked the two. The national-democratic revolution is the necessary preparation for the Socialist revolution and the Socialist revolution is the inevitable sequel to the national-democratic revolution.

There is no great wall between the two revolutionary stages. But the Socialist revolution is only possible after the completion of the national-democratic revolution. The more thorough the national-democratic revolution, the better the conditions for the Socialist revolution.

MOSCOW REVISIONISTS SERVE IMPERIALISM

The experience of the Chinese revolution shows that the tasks of the national-democratic revolution can be fulfilled only through long and tortuous struggles. In this stage of revolution, imperialism and its lackeys are the principal enemy.

In the struggle against imperialism and its lackeys, it is necessary to ally all anti-imperialist patriotic forces, including the national bourgeoisie, and all patriotic personages.

All those patriotic personages from among the bourgeoise and other exploiting classes who join the anti-imperialist struggle play a progressive historical role: they are not tolerated by imperialism but welcomed by the proletariat.

The Khrushchev revisionists are now actively preaching that socialism can be built without the proletariat and without a Communist Party. And they have cast the fundamenal tenets of Marxism-Leninism to the four winds. The revisionists' purpose is solely to divert the oppressed nations from their struggle against imperialism and to sabotage their national-democratic revolution, all in the service of imperialism.

The Chinese revolution provides a successful lesson for making a thorough-going national-democratic revolution under the leadership of the proletariat: it likewise provides a successful lesson for the timely transition from the national democratic revolution to the Socialist revolution under the leadership of the proletariat.

Ours is the epoch in which world capitalism and imperialism are heading for their doom and socialism and communism are marching to victory. Comrade Mao Tse-tung's theory of people's war is not only a product of the Chinese revolution, but has also the characteristics of our epoch. The new experience gained in the people's revolutionary struggles in various countries since

World War II has provided continuous evidence that Mao Tse-tung's thought is a common asset of the revolutionary people of the whole world. This is the great international significance of the thought of Mao Tse-tung.

Since World War II, U.S. imperialism has stepped into the shoes of German, Japanese, and Italian fascism and has been trying to build a great American empire by dominating and enslaving the whole world. It is the most rabid aggressor in human history and the most ferocious common enemy of the people of the world.

Every people or country in the world that wants revolution, independence, and peace cannot but direct the spearhead of its struggle against U.S. imperialism.

The U.S. imperialists' policy of seeking world domination makes it possible for the people throughout the world to unite all the forces that can be united and to form the broadest possible united front for a converging attack on U.S. imperialism.

At present, the main battlefield of the fierce struggle between the people of the world on the one side and U.S. imperialism and its lackeys on the other is the vast area of Asia, Africa, and Latin America. In the world as a whole, this is the area where the people suffer worst from imperialist oppression and where imperialist rule is most vulnerable.

Since World War II, revolutionary storms have been rising in this area, and today they have become the most important force directly pounding U.S. imperialism.

The contradiction between the revolutionary peoples of Asia, Africa, and Latin America and the imperialists headed by the United States is the principal contradiction in the contemporary world. The development of this contradiction is promoting the struggle of the people of the whole world against U.S. imperialism and its lackeys.

Since World War II and the succeeding years of revolutionary upsurge, there has been a great rise in the level of political consciousness and the degree of organization of the people in all countries, and the resources available to them for mutual support and aid have greatly increased. The whole capitalist-imperialist system has become drastically weaker and is in the process of increasing convulsion and disintegration.

U.S. imperialism is stronger, but also more vulnerable, than any imperialism of the past. It sets itself against the people of the whole world, including the people of the United States. Its human, military, material, and financial resources are far from sufficient for the realization of its ambition of dominating the whole world.

When committing aggression in a foreign country, U.S. imperialism can only employ part of its forces, which are sent to fight an unjust war far from their native land and, therefore, have a low morale, and so U.S. imperialism is beset with great difficulties.

The people subjected to its aggression are having a trial of strength with U.S. imperialism neither in Washington nor New York, neither in Honolulu nor Florida, but are fighting for independence and freedom on their own soil.

Once they are mobilized on a broad scale, they will have inexhaustible strength. Thus, superiority will belong not to the United States but to the people subjected to its aggression. The latter, though apparently weak and small, are really more powerful than U.S. imperialism.

The struggles waged by the different peoples against U.S. imperialism reinforce each other and merge into a worldwide tide of opposition to U.S. imperialism. The more successful the development of people's war in a given region, the larger the number of U.S. imperialist forces that can be pinned down and depleted there.

When the U.S. aggressors are hard pressed in one place, they have no alternative but to loosen their grip on others. Therefore, the conditions become more favorable for the people elsewhere to wage struggles against U.S. imperialism and its lackeys.

Everything is divisible. And so is this colossus of U.S. imperialism. It can be split up and defeated. The peoples of Asia, Africa, Latin America, and other regions can destroy it piece by piece, some striking at its head and others at its feet. That is why the greatest fear of U.S. imperialism is that people's wars will be launched in different parts of the world, and particularly in Asia, Africa, and Latin America, and why it regards people's wars as a mortal danger.

U.S. imperialism relies solely on its nuclear weapons to intimidate people, but these weapons cannot save U.S. imperialism from its doom. Nuclear weapons cannot be used lightly.

U.S. imperialism has been condemned by the people of the whole world for its towering crime of dropping two atomic bombs on Japan. If it uses nuclear weapons again, it will become isolated in the extreme.

Moreover, the U.S. monopoly of nuclear weapons has long been broken; U.S. imperialism has these weapons, but others have them, too. If it threatens other countries with nuclear weapons, U.S. imperialism will expose its own country to the same threat.

For this reason, it will meet with strong opposition not only from the people elsewhere but also inevitably from the people in its own country. Even if U.S. imperialism brazenly uses nuclear weapons, it cannot conquer the people, who are indomitable.

FIGHTING ON GROUND KEY TO VICTORY

However highly developed modern weapons and technical equipment may be and however complicated the methods of modern warfare, in the final analysis the outcome of a war will be decided by the sustained fighting of the ground forces, by the fighting at close quarters on battlefields, by the political consciousness of the men, by their courage and spirit of sacrifice.

Here the weak points of U.S. imperialism will be completely laid bare, while the superiority of the revolutionary people will be brought into full play. The reactionary troops of U.S. imperialism cannot possibly be endowed with the courage and the spirit of sacrifice possessed by the revolutionary people.

The spiritual atom bomb that the revolutionary people possess is a far more powerful and useful weapon than the physical atom bomb.

Vietnam is the most convincing example of a victim of aggression defeating U.S. imperialism by a people's war. The United States has made South Vietnam a testing ground for the suppression of people's war. It has carried on this experiment for many years, and everybody can now see that the U.S. aggressors are unable to find a way of coping with a people's war.

On the other hand, the Vietnamese people have brought the power of people's war into full play in their struggle against the U.S. aggressors. The U.S. aggressors are in danger of being swamped in the people's war in Vietnam.

They are deeply worried that their defeat in Vietnam will lead to a chain reaction. They are expanding the war in an attempt to save themselves from defeat. But the more they expand the war, the greater will be the chain reaction. The more they escalate the war, the heavier will be their fall and the more disastrous their defeat.

The people in other parts of the world will see still more clearly that U.S. imperialism can be defeated, and that what the Vietnamese people can do, they do, too.

History has proved and will go on proving that the people's war is the most effective weapon against U.S. imperialism and its lackeys. All revolutionary people will learn to wage a people's war against U.S. imperialism and its lackeys. They will take up arms, learn to fight battles and become skilled in waging a people's war, though they have not done so before.

U.S. imperialism, like a mad bull dashing from place to place, will finally be burned to ashes in the blazing fire of the people's wars it has provoked by its own actions.

The Khrushchev revisionists have come to the rescue of U.S. imperialism just when it is most panic-stricken and helpless in its efforts to cope with the people's war. Working hand in glove with the U.S. imperialists, they are doing their utmost to spread all kinds of arguments against the people's war, and wherever they can, they are scheming to undermine it by overt or covert means.

RUSSIANS DENOUNCED FOR LACK OF FAITH

The fundamental reason why the Khrushchev revisionists are opposed to the people's war is that they have no faith in the masses and are afraid of U.S. imperialism, of war and of revolution.

Like all other opportunists, they are blind to the power of the masses and do not believe that the revolutionary people are capable of defeating imperialism.

They submit to the nuclear blackmail of the U.S. imperialists and are afraid that, if the oppressed peoples and nations rise up to fight the people's wars or the people of Socialist countries repulse U.S. imperialist aggression, U.S. imperialism will become incensed, they themselves will become involved and their fond dream of Soviet-United States cooperation to dominate the world will be spoiled.

Ever since Lenin led the Great October Revolution to victory, the experience of innumerable revolutionary wars has borne out the truth that a revolutionary people who rise up with only their bare hands at the outset finally succeed in defeating the ruling classes who are armed to the teeth.

The poorly armed have defeated the better armed. People's armed forces, beginning with only primitive swords, spears, rifles and hand grenades, have in the end defeated the imperialist forces armed with modern airplanes, tanks, heavy artillery and atom bombs.

Guerrilla forces have ultimately defeated regular armies. "Amateurs" who were never trained in any military schools have eventually defeated "professionals" graduated from military academies, and so on and so forth.

Things stubbornly develop in a way that runs counter to the assertions of the revisionists, and facts are slapping them in the face.

The Khrushchev revisionists insist that a nation without nuclear weapons is incapable of defeating an enemy with nuclear weapons, whatever methods of fighting it may adopt.

That is tantamount to saying that anyone without nuclear weapons is destined to come to grief, destined to be bullied and annihilated, and must either capitulate to the enemy when confronted with his nuclear weapons or come under the protection of some other nuclear power and submit to its beck and call.

Isn't this the jungle law of survival par excellence?

Isn't this helping the imperialists in their nuclear blackmail? Isn't this openly forbidding people to make revolution?

The Khrushchev revisionists assert that nuclear weapons and strategic rocket units are decisive while conventional forces are insignificant, and that a militia is just a heap of human flesh.

For ridiculous reasons such as these, they oppose the mobilization of and reliance on the masses in the Socialist countries to get prepared to use the people's war against imperialist aggression.

They have staked the whole future of their country on nuclear weapons and are engaged in a nuclear gamble with U.S. imperialism, with which they are trying to strike a political deal. Their theory of military strategy is the theory that nuclear weapons decide everything.

Their line in army building is the bourgeois line which ignores the human factor and sees only the material factor and which regards technique as everything and politics as nothing.

The Khrushchev revisionists maintain that a single spark in any part of the globe may touch off a world nuclear conflagration and bring destruction to mankind. If this were true, our planet would have been destroyed time and time again.

There have been wars of national liberation throughout the 20 years since World War II. But has any single one of them developed into a world war? Isn't it true that the U.S. imperialists' plans for a world war have been upset precisely, thanks to the wars of national liberation in Asia, Africa, and Latin America?

By contrast, those who have done their utmost to stamp out the "sparks" of people's war have in fact encouraged U.S. imperialism in its aggressions and wars.

The Khrushchev revisionists claim that if their general line of "peaceful coexistence, peaceful transition, and peaceful competition" is followed, the oppressed will be liberated, and "a world without weapons, without armed forces, and without wars" will come into being.

But the inexorable fact is that imperialism and reaction headed by the United States are zealously priming their war machine and are daily engaged in sanguinary suppression of the revolutionary peoples and in the threat and use of armed force against independent countries.

The kind of rubbish peddled by the Khrushchev revisionists has already taken a great toll of lives in a number of countries. Are these painful lessons, paid for in blood, still insufficient?

The essence of the general line of the Khrushchev revisionists is nothing other than the demand that all the oppressed peoples and nations and all the countries that have won independence should lay down their arms and place themselves at the mercy of the U.S. imperialists and their lackeys who are armed to the teeth.

"While magistrates are allowed to burn down houses, the common people are forbidden even to light lamps." Such is the way of the imperialists and reactionaries. Subscribing to this imperialist philosophy, the Khrushchev revisionists shout that the Chinese people standing in the forefront of the fight for world peace:

"You are bellicose."

Gentlemen, your abuse adds to our credit. It is this very "bellicosity" of ours that helps to prevent imperialism from unleashing a world war. The people are "bellicose" because they have to defend themselves and because the imperialists and reactionaries force them to be so.

It is also the imperialists and reactionaries who have taught the people the arts of war. We are simply using revolutionary "bellicosity" to cope with counterrevolutionary bellicosity.

How can it be argued that the imperialists and their lackeys may kill people everywhere, while the people must not strike back in self-defense or help one another? What kind of logic is this?

The Khrushchev revisionists regard imperialists like Kennedy and Johnson as "sensible" and describe us together with all those who dare to carry out armed defense against imperialist aggression as "bellicose." This has revealed the Khrushchev revisionists in their true colors as the accomplices of imperialist gangsters.

WAR IS GREAT SCHOOL TO TEMPER PEOPLE

We know that war brings destruction, sacrifice, and suffering on the people. But the destruction, sacrifice, and suffering will be much greater if no resistance is offered to imperialist armed aggression and the people become willing slaves.

The sacrifice of a small number of people in revolutionary wars is repaid by security for whole nations, whole countries, and even the whole of mankind; temporary suffering is repaid by lasting or even perpetual peace and happiness.

War can temper the people and push history forward. In this sense, war is a great school.

In diametrical opposition to the Khrushchev revisionists, the Marxist-Leninists and revolutionary people never take a gloomy view of war.

Our attitude toward imperialist wars of aggression has always been clear cut. First, we are against them, and second, we are not afraid of them. We will destroy whoever attacks us.

As for revolutionary wars waged by the oppressed nations and peoples, so far from opposing them, we invariably give them firm support and active aid. It has been so in the past, it remains so in the present, and, when we grow in strength as time goes on, we will give them still more support and aid in the future.

It is sheer daydreaming for anyone to think that, since our revolution has been victorious, our national construction is forging ahead, our national wealth is increasing, and our living conditions are improving, we too will lose our revolutionary fighting will, abandon the cause of world revolution and discard Marxism-Leninism and proletarian internationalism.

Of course, every revolution in a country stems from the demands of its own people. Only when the people in a country are awakened, mobilized, organized, and armed can they overthrow the reactionary rule of imperialism and its lackeys through struggle; their role cannot be replaced or taken over by any people from outside.

In this sense, revolution cannot be imported. But this does not exclude mutual sympathy and support on the part of revolutionary peoples in their struggles against the imperialists and their lackeys. Our support and aid to other revolutionary peoples serves precisely to help their self-reliant struggle.

The propaganda of the Khrushchev revisionists against people's war and the publicity they give to defeatism and capitulationism tend to demoralize and spiritually disarm revolutionary people everywhere.

These revisionists are doing what the United States imperialists are unable to do themselves and are rendering them great service; they have greatly encouraged U.S. imperialism in its war adventures. They have completely betrayed the Marxist-Leninist revolutionary theory of war and have become betrayers of people's war.

To win the struggle against U.S. imperialism and carry the people's wars to victory, the Marxist-Leninists and revolutionary people throughout the world must resolutely oppose Khrushchev revisionism.

Today, Khrushchev revisionism has a dwindling audience among the revolutionary people of the world.

Wherever there is armed aggression and suppression by imperialism and its lackeys, there are bound to be people's wars against aggression and oppression. It is certain that such wars will develop vigorously. This is an objective law independent of the will of either the U.S. imperialists or the Khrushchev revisionists.

The revolutionary people of the world will sweep away everything that stands in the way of their advance. Khrushchev is finished. And the successors to Khrushchev revisionism will fare no better.

The imperialists, the reactionaries and the Khrushchev revisionists, who have all set themselves against people's war, will be swept like dust from the stage of history by the mighty broom of the revolutionary people.

Great changes have taken place in China and the world in the 20 years since the victory of the war of resistance against Japan, changes that have made the situation more favorable than ever for the revolutionary people of the world and more unfavorable than ever for imperialism and its lackeys.

When Japanese imperialism launched its war of aggression against China, the Chinese people had only a very small people's army and a very small revolutionary base. And they were up against the biggest military despot of the East. Yet even then, Comrade Mao Tse-tung said that the Chinese people's war could be won and that Japanese imperialism could be defeated.

Today, the revolutionary base areas of the peoples of the world have grown to unprecedented proportions, their revolutionary movement is surging as never before. Imperialism is weaker than ever, and U.S. imperialism, the chieftain of world imperialism, is suffering one defeat after another.

We can say with ever greater confidence that the people's wars can be won and U.S. imperialism can be defeated in all countries.

The peoples of the world now have the lessons of the October revolution, the anti-Fascist war, the Chinese's people's war of resistance and war of liberation, the Korean people's war of resistance to U.S. aggression, the Vietnamese people's war of liberation and their war of resistance to U.S. aggression, and the people's revolutionary armed struggles in many other countries.

Provided each people studies these lessons well and creatively integrates them with the concrete practice of revolution in their own country, there is no doubt that the revolutionary peoples of the world will stage still more powerful and splendid dramas in the theater of people's war in their countries and that they will wipe off the earth once and for all the common enemy of all the peoples, U.S. imperialism, and its lackeys.

PEIPING VOWS TO SUPPORT VIETCONG UNTIL VICTORY

The struggle of the Vietnamese people against U.S. aggression and for national salvation is now the focus of the struggle of the people of the world against U.S. aggression.

The determination of the Chinese people to support and aid the Vietnamese people in their struggle against U.S. aggression and for national salvation is unshakable. No matter what U.S. imperialism may do to expand its war adventure, the Chinese people will do everything in their power to support the Vietnamese people until every single one of the U.S. aggressors is driven out of Vietnam.

The U.S. imperialists are now clamoring for another trial of strength with the Chinese people, for another large-scale ground war on the Asian mainland.

If they insist on following in the footsteps of the Japanese Fascists, well then, they may do so, if they please. The Chinese people definitely have ways of their own for coping with a U.S.-imperialist war of aggression.

Our methods are not secret. The most important one is still mobilization of the people, reliance on the people, making every one a soldier and waging a people's war.

We want to tell the U.S. imperialists once again that the vast ocean of several hundred million Chinese people in arms will be more than enough to submerge your few million aggressive troops.

If you dare to impose war on us, we shall gain freedom of action. It will then not be

up to you to decide how the war will be fought. We shall fight in the ways most advantageous to us to destroy the enemy and wherever the enemy can be most easily destroyed.

Since the Chinese people were able to destroy the Japanese aggressors 20 years ago, they are certainly still more capable of finishing off the U.S. aggressors today.

The naval and air superiority you boast about cannot intimidate the Chinese people and neither can the atom bomb you brandish at us.

If you want to send troops, go ahead. The more the better. We will annihilate as many as you can send, and can even give you receipts.

The Chinese people are a great, valiant people. We have the courage to shoulder the heavy burden of combating U.S. imperialism and to contribute our share in the struggle for final victory over this most ferocious enemy of the people of the world.

It must be pointed out in all seriousness that after the victory of the war of resistance, Taiwan was returned to China. The occupation of Taiwan by U.S. imperialism is absolutely unjustified. Taiwan Province is an inalienable part of Chinese territory. The U.S. imperialists must get out of Taiwan. The Chinese people are determined to liberate Taiwan.

In commemorating the 20th anniversary of victory in the war of resistance against Japan, we must also point out in all solemnity that the Japanese militarists fostered by U.S. imperialism will certainly receive still severer punishment if they ignore the firm opposition of the Japanese people and the people of Asia, again indulge in their pipedreams.

U.S. imperialism is preparing a world war. But can this save it from its doom? World War I was followed by the birth of the Socialist Soviet Union. World War II was followed by the emergence of a series of Socialist countries and many nationally independent countries.

If the U.S. imperialists should insist on launching a third world war, it can be stated categorically that many more hundreds of millions of people will turn to socialism; the imperialists will then have little room left on the globe; and it is possible that the whole structure of imperialism will collapse.

We are optimistic about the future of the world. We are confident that the people will bring to an end the epoch of wars in human history.

Comrade Mao Tse-tung pointed out long ago that war, this monster, "will be finally eliminated by the progress of human society. And in the not too distant future, too. But there is only one way to eliminate it and that is to oppose war with war, to oppose counter-revolutionary war with revolutionary war."

All peoples suffering from U.S. imperialist aggression, oppression and plunder, unite.

Hold aloft the just banner of people's war and fight for the cause of world peace, national liberation, people's democracy and socialism.

Victory will certainly go to the people of the world.

Long live the victory of people's war.

[From the Washington (D.C.) Post, Sept. 5, 1965]

PEIPING WARNS HANOI ON TALKS—JOHNSON'S PEACE PLEAS DENOUNCED

(By Stanley Karnow)

In a shrill denunciation of President Johnson's recent appeals for peace in Vietnam, Communist China yesterday appeared to be exerting pressure on North Vietnam to resist a negotiated settlement of the war.

The Chinese statement, contained in a New China News Agency report received here, declared that the administration's new peace offensive is a "sinister scheme." Its purpose, the statement continued, is to lay a "peace smokescreen" over Vietnam in order to shroud U.S. "preparations for fighting a Korean-type war there."

One passage seemed almost wholly directed at North Vietnam. It warned that the United States is creating the "false impression" that it wishes to discuss proposals advanced by Hanoi and revive the 1954 Geneva agreement as the basis for a Vietnam settlement.

"But," said Peiping, "such tricks of Johnson's can deceive no one."

"SIGNALS" FROM HANOI

Peiping's strong words emerged at a time when faint and somewhat elusive signals appear to indicate that the North Vietnamese may be modifying their bargaining position.

One such signal was discernible in Moscow on Thursday when the North Vietnamese Ambassador to the Soviet Union, Nguyen Van Kinh, delivered a speech in which he omitted the usual demand that U.S. troops be withdrawn from South Vietnam. That demand was one of four conditions for negotiation issued by Hanoi in April.

In private conversation, North Vietnamese officials are known to have taken a supple position on the question of American forces in South Vietnam. Kinh's speech is believed to be the first time a Vietnamese Communist has not raised the question in publicly discussing a settlement of the conflict.

But if the North Vietnamese have eased their public stance on that point, Peiping apparently has not. In their statement yesterday, the Chinese insisted that the only way out of Vietnam for the United States is "to end its aggression and withdraw all its troops."

OFFERS FOR CONTINUING WAR

The Chinese are also said to be offering more tangible inducements to Hanoi to continue its resistance to peace overtures. Among these, it is reported, are offers to rebuild North Vietnamese bridges anad other installations destroyed by U.S. air attacks.

Peiping's interest in continuing the Vietnam war fits into the Chinese Communist blueprint for world revolution, most recently enunciated by Marshal Lin Piao, the Chinese Defense Minister.

As he outlined it, the United States and Western Europe eventually will be encircled through revolutionary wars in Asia, Africa, and Latin America. The war in Vietnam, he said, is the present focus of that global struggle.

IDEOLOGICAL DIFFERENCES

An aspect of the dispute between Red China and the Soviet Union evolved out of their divergent views on revolutionary war. Peiping ridiculed former Premier Khrushchev's assertion that "a single spark on any part of the globe may touch off a world nuclear conflagration and bring destruction to mankind."

Against that background the Chinese are currently criticizing the Russians for not taking a sufficiently belligerent line on Vietnam. And criticism of the Russians can be construed as an indirect warning to Hanoi to ignore Soviet advice.

* * * * *

At the same time, Peiping warned that the United States is turning to certain Asian and African states "to bring pressure to bear upon the Vietnamese people to force peace talks on them."

VETERANS ORGANIZATIONS UNANIMOUS IN SUPPORT OF COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, I would like to call to the attention of my colleagues the September 9, 1965, issue of the Stars and Stripes, in its lead article on page 1. In one small subhead under the headline, this newspaper sums up the entire story of the cold war GI bill when they state, "Veteran Groups Favor Measure; VA and Department of Defense Oppose."

This simple statement is representative of the fate of the cold war GI bill, as the people's voices, the organizations of veterans, and the citizens of this country all favor this proposal, but it has become the victim of sabotage by governmental agencies who slow-drag, block, and vehemently oppose a proposal to benefit the very people these agencies are set up to protect. The supposed voice of the American soldier, the Department of Defense, the supposed protector of veterans' rights, the Veterans' Administration, are the stumbling blocks against the cold war GI bill.

I think it is time that the interest of the people, of the soldier, and of the veteran, should overshadow the shallow opposition of the Government agencies and the cold war GI bill be enacted into law.

To illustrate some of the forces behind this bill, I ask unanimous consent that the short article, complete with headlines, from the Stars and Stripes of Thursday, September 9, 1965, be printed at this point in the RECORD.

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

HEARINGS BEGIN ON COLD WAR GI BILL—VETERAN GROUPS FAVOR MEASURE, VA AND DEPARTMENT OF DEFENSE OPPOSE

As hearings opened before the House Veterans Affairs Committee on the GI cold war bill, already passed by the Senate, representatives of veterans' organizations were unanimous in support of the bill. The only opposition registered was that by the Department of Defense and the Veterans' Administration.

Spokesman for the legislation were representatives of the American Legion, the Veterans of Foreign Wars, the American Veterans Committee, and the Association of Regular Army Sergeants. Also appearing was Representative GEORGE GRIDER, of Tennessee, testifying in favor of the provisions of the bill. Senator RALPH YARBOROUGH, of Texas, sponsor of the legislation in the Senate, submitted a statement setting forth his views as to the need for the legislation.

WHEAT SALES ON THE WORLD MARKET

Mr. BURDICK. Mr. President, I would like to call to the attention of my colleagues an editorial which appeared in the Fargo Forum, Fargo, N. Dak., on September 10, 1965, entitled "Maritime Unions Prevent U.S. Wheat Farmers From Selling on World Markets."

The editorial in part states:

Cargo rates in American flag vessels are higher than rates offered by foreign vessels, and this requirement has the effect of raising the cost of American wheat by at least 10 to 15 cents a bushel. So Russia and its allies buy wheat from Canada for gold. Canadian farmers are being urged to raise all the wheat they can, while the U.S. Congress debates a farm bill that is intended to continue controls over American wheat production in an effort to keep our surplus production from overflowing our storage bins.

The Fargo Forum presents a logical and irrefutable argument for the termination of these shipping rules. The maritime workers gain nothing by this position, the American farmers lose a market, and the taxpayers pay to store our surplus. Further, these cash sales are a valuable contribution to our balance of payments.

I have joined with other farm State Senators in an appeal to the President and Secretary Connor to end this untenable policy. I will support legislation to accomplish this.

Mr. President, I ask unanimous consent to have the Fargo Forum editorial printed at this point in the RECORD.

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

MARITIME UNIONS PREVENT U.S. WHEAT FARMERS FROM SELLING ON WORLD MARKET

Once again the American maritime unions, notably left wing in their thinking, and the ultraconservative wing of American political thought are working together to deprive the U.S. wheat farmer of a chance to sell his product on the world market.

They are adamant against letting American grain interests sell wheat to the East European nations, including Russia, unless 50 percent of the exports are shipped in American-flag vessels.

Cargo rates in American-flag vessels are higher than rates offered by foreign vessels, and this requirement has the effect of raising the cost of American wheat by at least 10 to 15 cents a bushel. So Russia and its allies buy wheat from Canada for gold. Canadian farmers are being urged to raise all the wheat they can, while the U.S. Congress debates a farm bill that is intended to continue controls over American wheat production in an effort to keep our surplus production from overflowing our storage bins.

Even if President Johnson or the Congress lifted the requirement for shipping half the wheat sold to Eastern Europe in American-flag vessels, there is considerable doubt that U.S. maritime workers would load the wheat.

Victor Riesel, a labor news reporter-columnist, recently interviewed Teddy Gleason, leader of 60,000 longshoremen. Gleason said it would take the U.S. Marines to get grain loaded onto any ship, American or foreign, in any U.S. port if U.S. shippers did not get half the business.

Riesel added: "And unless Gleason's followers load that grain, it won't get into the cargo holds. If the marines handle it, the American ships won't sail because their crews belong to Paul Hall's militant Seafarers, or the National Maritime Union. If the Government mans the ships, the marine engineers will strike again."

So labor won't let the American farmer enter the world wheat market without putting out its fist first and demanding a cut. And the same labor organizations—through their Congressmen—are the first to complain about the high cost of farm subsidies which are intended only to give the farmer a fair return for his product.

The maritime blockade against the farmer makes a mockery of the Great Lakes seaway which gave the Great Plains farmer an outlet to the world markets.

ORGANIZATION OF CONGRESS STUDY

Mr. MONRONEY. Mr. President, fortunately for the Joint Committee on the Organization of Congress, its members have had available to them the ideas of some of the scholars who are participating in a 2-year study of Congress sponsored by the American Political Science Association. The study is being done under a $230,000 grant made to the association by the Carnegie Corp. Its director is Dr. Ralph K. Huitt, professor of political science at the University of Wisconsin.

Although the study was begun only last fall and is not complete, it was of value to us to hear some of the men who are working on studies of various aspects of the organization, procedure and operation of Congress. About 15 studies are being made by individual scholars who already have done research and had firsthand experience on Capitol Hill. The individuals will be free to recommend changes as they please, Dr. Huitt has told us, contradicting each other if they desire. There will be no official list of recommendations by the study itself.

One of the scholars participating is Dr. James A. Robinson, an outstanding young man with whom I have had the opportunity to work. He also obtained one of his degrees at the University of Oklahoma. In addition to his work on the American Political Science Association's longer study, he has been 1 of 13 political scientists working on a summer project now nearly complete. The latter study was sponsored by the American Enterprise Institute for Public Policy Research and is intended to stimulate new thought about the role of Congress in the Federal system.

I ask unanimous consent to insert in the RECORD at this point a short sketch outlining some of Jim Robinson's background.

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

JAMES A. ROBINSON

James A. Robinson is a professor of political science at the Ohio State University who is very much interested in the question how congressional processes and procedures affect policy decisions reached by Congress. For the American Political Science Association's study of Congress, Robinson will employ a rather elaborate statistical approach which he hopes will give some answers which cannot be had by the slower process of individual case studies.

Dr. Robinson received his bachelor's degree from George Washington University and his master's degree from the University of Oklahoma. He is a Northwestern University Ph. D. He taught political science at Northwestern from 1958 until 1964, when he went to Ohio State University as a full professor of political science.

In 1957–58, Dr. Robinson was a congressional fellow of the American Political Science Association. He served in the offices of Representative A. S. J. Carnahan, Democrat, of Missouri, and with the Subcommittee on International Finance of the Committee on Banking and Currency, of which Senator MONRONEY was then chairman. This experience led to the research which resulted in his book "Congress and Foreign Policy Making." He has also published "The House Rules Committee" as well as numerous scholarly articles.

Dr. Robinson's rapid assent from instructor to full professor in 6 years is most unusual and reflects the kind of drive and intellectual energy which has made him an outstanding young professor of political science.

FIGHTING VENEREAL DISEASE

Mr. TYDINGS. Mr. President, in this day of modern medical advances, it is particularly distressing when human beings suffer needlessly with diseases for which there is a cheap and effective cure. Yet, the rate of venereal disease is on the rise. Indeed, the American Medical Association has termed VD the Nation's most urgent communicable disease problem. This is indeed a needless tragedy, since both syphilis and gonorrhea are eradicable if all those carrying the disease receive timely treatment.

Venereal disease is especially a problem in this city of Washington. Mr. President, I ask unanimous consent to insert at the conclusion of my remarks an editorial which appeared in the Washington Star of September 3, entitled "The VD Menace," and an editorial from the New York Times of the same day, on the general problem of venereal disease.

In an effort to combat the menace of venereal disease, I have introduced a bill, S. 1081, to require a laboratory test for syphilis before the issuance of a marriage license in the District of Columbia. Such a requirement would provide a simple and easy method of detecting venereal disease, and preventing further venereal disease infection. Such a requirement would be an eminently sensible procedure to augment the campaign against venereal disease which the District of Columbia Health Department is now conducting.

The senior Senator from Oregon [Mr. MORSE], the chairman of the Public Health, Education, and Welfare, and Safety Subcommittee of the Senate District of Columbia Committee, has held hearings on S. 1081. It is my hope that this bill will be acted on at an early date. Together with the intensive program of treatment without charge which the health department is carrying on, and a campaign of public education in the hazards of venereal disease, the bill should be successful in combating the scourge of venereal disease in the District of Columbia.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Star, Sept. 3, 1965]

THE VD MENACE

It is grim irony that penicillin, the cure for both syphilis and gonorrhea, has been available for 23 years, yet the rate of venereal disease is on the rise.

The situation is so critical now, in fact, that the American Medical Association terms VD the Nation's most urgent communicable disease problem.

VD is infecting 1.1 million Americans a year. Cases of infectious syphilis have nearly trebled in the past 5 years. In young persons, the incidence of new cases of gonorrhea is on the increase at nearly the same pace.

As the Star reported recently, the District continues to lead both States and comparable cities in VD, despite a flood of pamphlets and information programs that have been promoted here for many years.

This is a shocking situation, rendered all the more tragic by the availability of medicine and knowledge for control of these diseases. When asked why the rate is climbing, after a highly successful anti-VD drive in the 1950's, physicians cite public

apathy, the increasing use of alcohol contributing to sexual promiscuity, and the spread of homosexuality, itself a morbid symptom.

But the greatest single cause seems to be that young people have not been adequately warned about the hazards of these diseases. A Victorian prudery still bans the subject of VD prevention from discussion in many public schools.

The AMA this month has launched a nationwide campaign through pamphlets, posters, and other media to encourage preventive measures and treatment. The program deserves wholehearted support. VD is not only a matter of medicine but of education.

[From the New York Times, Sept. 3, 1965]

FIGHTING VD

The American Medical Association's decision to mount a national drive against venereal diseases is a necessary response to a fast-worsening situation. Public Health Service statistics show that newly reported cases of both syphilis and gonorrhea have been rising for almost a decade. The magnitude of the problem is suggested by the estimate that over a million Americans are infected with venereal disease each year. Its urgency for the future is underlined by the fact that infectious syphilis is most prevalent among teenagers and young adults.

Prudery and reticence are still major obstacles to checking VD. Both syphilis and gonorrhea are curable through the use of penicillin and other antibiotics. They are eradicable if all those carrying the diseases receive adequate and timely treatment. The military services long ago created an efficient system of prophylaxis to protect soldiers, sailors, and airmen.

The more basic problem of morality is a more difficult—and perhaps insoluble—one. We live in a go-go-go civilization in which too many look upon restraint and continence as "square." Young people and adults alike are assailed from many sides by sexual stimulants deliberately employed for commercial purposes. Homosexuality—a very substantial source of venereal infection—is now flaunted more openly and praised more publicly than in earlier decades. The rising tide of VD is one of the consequences of these trends, even though medical research has made it needless if available resources are fully used.

NONTARIFF OBSTACLES TO THE FREE EXCHANGE OF GOODS AND CAPITAL

Mr. DODD. Mr. President, there is a growing realization among the major trading countries of the world that nontariff obstacles to the free exchanges of goods and capital are as every bit restrictive as tariffs.

The magazine European Community, in its July and August editions, featured articles dealing with nontariff techniques that are used to restrict trade between the United States and Europe.

To quote the introductory paragraph of the August article:

Nontariff obstacles to trade are older than tariff obstacles. They are as old as international trade itself. They may, in fact, be the last ditch of protectionism wherever a country or group of countries wishes to protect a product or maintain a particular position against foreign competition.

Mr. President, I ask unanimous consent that these two informative articles from European Community be inserted into the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DODD. Mr. President, the wide variety of protectionist devices that can be and are being used to inhibit the free flow of trade between the United States and Europe makes one fully aware of the great difficulties that lie ahead of us as we try to liberalize trade channels with the Common Market and other European countries.

And we must not forget the political differences that exist between us and our European allies.

A better political understanding would undoubtedly ease the solution of the economic and technical problems.

On the other hand, a greater effort at accommodation in the area of economic policy, for example, modification of some of the nontariff barriers to trade, would no doubt help ease the political situation.

I commend to the attention of my colleagues these two interesting and informative articles.

EXHIBIT 1

EUROPEANS WEIGH U.S. NONTARIFF OBSTACLES TO TRADE—KENNEDY ROUND FILE LISTS CUSTOMS VALUING, BUY AMERICAN ACT

(The following article is the first of two reprinted in part from Opera Mundi—Europe (No. 301, Apr. 22, 1965) published by the Times Publishing Co. Ltd., London. This article concerns European objections to nontariff obstacles to trade in the United States. The U.S. criticisms of European obstacles will be presented in the August issue of European Community.)

Economic nationalism, in the classic form of protection, is not yet dead; this much at least is evident from the slow pace of preparations for the Kennedy round of negotiations on nontariff (and semitariff) obstacles to international trade. President Kennedy's Trade Expansion Act may even have strengthened rather than weakened the laws which protect the United States commercially.

The Six's first reaction was to try to establish common principles and a joint procedure for protecting the Common Market against unfair trading practices by nonmembers, in order that the Community should be armed with means of defense equal to those which the United States has available. It would obviously have improved the Six's negotiating position to have had a common trade policy, but the proposal which the Commission laid before the Council of Ministers on November 26, 1963, has still not been adopted.

BRITAIN SUPPORTS SIX

The Six may not be agreed on what they want to do, but they are quite clear what they want to demolish—the barriers erected by other countries, especially the United States. At GATT meetings, they have found a powerful ally in Great Britain. The Common Market Commission has drawn up a complete inventory of measures applied by the biggest parties to the negotiations. The American file is the thickest.

Its first chapter concerns customs classification and nomenclature. In 1950 many of the industrial countries adopted the Brussels Convention, which includes a definition of customs value and lays down a uniform method of assessment and the principles to be applied, based on a standard nomenclature with a limited number of items. The United States never signed it, and has retained tariffs with very complicated headings and widely varying rates of duty.

This has meant that the exporter has often been left in doubt how much duty he will have to pay—a doubt which has been made worse by arbitrary changes of classification. The other countries have little hope that America will speedily adopt the Brussels nomenclature and other standards, but they do ask that the Americans should try to make their nomenclature clearer and better classified, so as not to take exporters by surprise.

U.S. CUSTOMS VALUING BASIS DIFFERS

Assessing customs values is another source of argument. Under the Brussels Convention c.i.f. (cost, insurance, freight) prices are generally adopted for contracts of sale, but the American system divides goods into three groups, each with a different basis of customs assessment:

Group I: For the majority of items the customs value is based on the f.o.b. (free on board) price.

Group II: For some 500 products or categories of products, which are set out in a list issued by the Treasury Department under date January 20, 1958, the customs value is the same as the value in the home market of the exporting country (domestic consumption price) or the export value (f.o.b. price) when the latter is higher.

Group III: For organic chemical products and some others (rubber soled shoes, clams in tins, knitted woolen gloves and mittens whose value does not exceed $1.75 per dozen pairs), the value is based on the A.s.p.—American selling price, that is the wholesale price in the United States of the competing American product (as judged by the American industry itself—editor), including all expenses and profits of sale. The effect of this method is that the U.S. customs can refuse to accept an invoice price or a price assessed by experts and refer simply to the price on the American market.

Unquestionably, disparities one way or the other will subsist and will sometimes be considerable for as long as the main industrial countries, including the United States, fail to apply a common method of assessing customs values. There seems no reason why they should not adopt the simplest one, which is the Brussels Convention.

A.S.P. RAISES IMPORT PRICE

The A.s.p. basis mentioned in group III above amounts to raising the import price considerably (by anything from once to twice or three times that figure) and thus the amount of customs duty according to the American tariff. The system is entirely contrary to the rules laid down in GATT (the General Agreement on Tariffs and Trade), article VII, ii(c) which says, among other things, that the customs value should not be based on the value of similar goods produced in the importing country.

Taking dyes, for instance, the American customs assessment depends on the standard of strength which, in turn, is based on the position before July 1, 1914. The effective rate of customs duty for synthetic dyes is thus double, and sometimes even triple, the duty appearing in the American tariff. The Six, therefore, consider that the best solution would be to harmonize customs assessments on the basis of the Brussels Convention.

The British, who are large exporters of organic chemical products, correctly point out that the American system of excessive protection, which was devised some decades ago to protect a young chemical industry, is quite unsuitable for today's huge and highly competitive American chemical industry, whose production is to a considerable extent based on oil derivatives obtained from cheap raw materials. The present system often pushes up the duties to absolutely prohibitive levels, sometimes as high as 120 percent, especially for dyes ready for use. The British therefore agree with the Six in asking for the Amercan system to be ended.

ANTIDUMPING MEASURES QUESTIONED

The second chapter of the file on American protection relates to nontariff barriers,

and first and foremost to dumping. The Six would like to bring in a common procedure for antidumping measures, based on article VI of GATT (appreciation of the legality of unilateral action by a contracting party). The difficulty in doing this comes from the varied nature of the practices in force, especially those applied before the existence of dumping is recognized.

The United States has had an antidumping act since 1921 which allows the administration, as soon as it is informed of a case of dumping, to set in train a procedure charging the dumping goods with an additional duty, calculated on the difference between the original price and the import price, which is sometimes enough to discourage the exporter. This legislation has recently been made more flexible, especially by abolishing retroactive application of antidumping duty by allowing full examination of the files and publication of the documents which, until now, had been examined separately and confidentially.

But the main part of the procedure remains in force and it has had very unfavorable effects on exports to America. Assessment of the customs value can be suspended by the Treasury Department as soon as it suspects a case of dumping, even when no proof of damage has been submitted. The inquiries alone are harmful to the suspected European exporters (since in order to gain satisfaction, they must agree to making their files public—editor) and no country in Europe uses any procedure of this kind.

The American customs law (art. 303) also conflicts at two points with the rules laid down in article VI of GATT. It empowers the administration to charge compensating duties:

When export subsidies and production subsidies are granted by private organizations (through agreements, trade associations, etc.) in the exporting country; while the GATT regulations only apply to Government subsidies.

Even when the American industry has suffered no serious harm; while GATT requires proof of serious damage before compensating duties may be applied.

This special provision has seldom been applied on industrial goods, but it often has been on agricultural products.

BUY AMERICAN ACT CRITICIZED

In the United States, Government buying is subject to the Buy American Act which came into force in 1933 and authorizes the Government to give an American firm preference over a foreign one, even if it costs from 6 percent to 12 percent more (according to the rate of unemployment in the area concerned) on condition that the value of American materials used in the work is not less than 50 percent of the total cost.

For a long time, this national preference was applied only to goods intended for use within the United States, but under the Kennedy administration the Defense Department extended it to purchases of goods for use abroad, in consequence of the adverse balance-of-payments position. Since July 1962, the margin of preference has been 50 percent whether the goods are used at home or abroad.

The Buy American Act threatens to nullify the tariff concessions for articles purchased by the American Government. To allow home suppliers to obtain the contract when their prices are not more than 50 percent higher than those of foreign suppliers practically amounts to authorizing the application of an additional 50 percent customs duty on imported goods. What is more, the psychological effects of this legislation are so great that in many cases possible suppliers do not quote at all, believing that their chances of success are very small.

Since the margin of preference was raised to 50 percent for orders relating to national defense, British industry has given up quoting for contracts for $35 million and up, of which there have been 30 in heavy electrical equipment sector alone. Now the Common Market and Britain are asking the United States to consider whether they will not abolish this discrimination.

ASME CODE DRAWS FIRE

Then there are the administrative and technical regulations, several of which have been pointed out at Geneva as harmful. First of these is the code of ASME—the American Society of Mechanical Engineers. Some States and some local authorities require boilers and containers for liquid gas under pressure used in their area to comply with the code. Several States stipulate that the inspector responsible for checking them should be a State employee affiliated to ASME, which, however, follows a policy of declining to approve manufacturers outside the United States and Canada, in order not to cheapen the significance of the code. In Britain, for instance, there are several inspectors approved by the United States National Board of Boilers and Pressure Vessels Inspectors, but ASME does not wish to admit this and several British firms which have tried to get American orders have run up against ASME's veto.

High pressure gas cylinders intended for the United States have to conform to the specification for unsoldered gas cylinders laid down by the Commission for Interstate Trade. Since inspection and trials have to be carried out in America, this provision prevents foreign goods entering American territory. In this case, as in the previous one, the British are asking for inspection to be made in Britain as well as in the United States.

Finally, American legislation prohibits (on pain of confiscation) any foreign-built dredger to dredge in America unless it is registered there, but foreign-built ships are only registered if they are intended exclusively for trading with foreign countries. In other words, foreign-built dredgers cannot be registered in the United States and dredge there, so they cannot be sold there at all. At least one British firm has received inquiries from American firms interested in buying dredgers, but the restrictions have prevented them from getting any orders.

This is the kind of case which the Community (represented by the EEC Commission) and Britain are preparing for their negotiations with the United States on nontariff and semitariff obstacles to trade (the American selling price and the Antidumping Act have an effect on tariffs).

Although such obstacles are more serious in the United States than in Europe, they do exist in the Common Market and the Americans in particular complain about them. There are also obstacles in some other countries which affect international trade, and these will be considered in a later article.

EUROPEAN NONTARIFF OBSTACLES TO TRADE CRITICIZED—UNITED STATES OBJECTS TO QUOTAS, CUSTOMS VALUING AND INDIRECT TAXES

(The following article is reprinted in part from Opera Mundi—Europe (No. 302, Apr. 29, 1965) published by the Times Publishing Co., Ltd., London. The article lists the U.S. complaints against European nontariff obstacles to trade. Europe's objections to certain U.S. administrative and legislative trade practices appeared in European Community, June 1965, No. 82.)

Nontariff obstacles to trade are older than tariff obstacles. They are as old as international trade itself. They may, in fact, be the last ditch of protectionism wherever a country or group of countries wishes to protect a product or maintain a particular position against foreign competition.

This emerges from a study of the "catalog" of reproaches the great powers concerned in the Kennedy round talks at GATT are making against each other—Britain, the Common Market and the United States of America.

QUOTA RESTRICTIONS SURVIVE

Quota restrictions, introduced when Europe was having balance-of-payments difficulties, have been kept in force for a great many products, although the payments problems have long since vanished. The list of quota restrictions prepared by the American delegation is impressive and relates to a variety of goods besides agricultural products. In France's case, it includes oil, radio telegraph and telephone sets, paper and cardboard, electric lights, tubes, valves, watches and clockwork movements, and ships.

Italy restricts sulfur, cork, citric acid, and cars; Germany, textiles, ceramics, porcelain, and casein; Britain, coal, jute clothing, watches, aircraft, and Commonwealth products under Imperial preference.

In many cases, quotas are naturally accompanied by import licenses. The longest list is the Japanese. They require licenses for 154 manufactured products; Germany does so for only 64. In at least 12 countries (besides the United States), imports of cotton textiles run into nontariff barriers and the same is true of agricultural products.

The United States is particularly critical of restrictions on coal imports, and asks that these should be freed. At the moment, the American mines can produce about 600 million metric tons a year, while internal consumption is under 500 million, and mechanization of equipment keeps raising productivity of their coal, which is cheap and of good quality. The United States would be able and would like to export large quantities, but the most promising markets are countries which also mine coal and (understandably) have erected barriers against imports.

Belgium has a very strict quota system, with import licenses for non-Community bituminous coal. France, which imported large amounts of American coal at a time of crisis, now limits imports of non-Community coal by the device of giving the Association Technique de l'Importation Charbonniére a trading monopoly.

COAL IMPORTS HAMPERED

Germany has a quota for duty-free non-Community coal imports of 6 million metric tons, of which 5 million are alloted to the United States. Beyond that figure all imports bear duty at $5 per metric ton. Even Canada subsidizes her coal at the rate of $5 per metric ton in order to meet American competition. The United States feels most strongly about Britain, which absolutely forbids imports of American coal. In spite of many approaches by the U.S. Government and many requests for licenses to the Board of Trade, there has been no importation for several years.

Coal is a good example of how much necessary evil can exist in some survivals of protectionism. Coal like wheat, raises social and therefore political problems. Coal now moves freely inside the Community, but experience has shown that neither production nor the market is insulated from crises, and this position would be worsened if American coal also came in freely.

This is even truer for Britain, which needs to export some of its coal and to maintain a high level of coal production for social and political reasons. Germany, by the way, does not import the whole of its duty-free quota. The fact that American coal is better and cheaper than some European coal does not alter the social repercussions which the coal market may feel, but it should encourage governments to find a more liberal compromise.

ARBITRARY PROCEDURES CITED

The second chapter of the American's complaints relates to the European countries' economic and trading policies and to

their administrative practices. The Americans complain of the European assessment of customs values, just as the Europeans do of theirs. They too would like to see harmonization.

The Europeans raise nontariff barriers through executive measures whereas the Americans nearly always have theirs endorsed by the legal processes of Congress. The American method is fairer if the exporter knows where he stands, which is not always the case, as shown by the American selling price. The ease with which the U.S. administration can raise the margin of preference from between 6 percent and 12 percent to 50 percent (for Government procurement concerned with defense) leads to the question whether the absence of law may not sometimes be preferable to a very elastic law.

Few European countries have real antidumping legislation but they sometimes use arbitrary methods of protection against dumping. Last year, the Germans complained that Kaiser Aluminum was selling its aluminium at dumping prices. Under the threat of antidumping legislation, the United States firm, after several weeks of talks, had to raise its prices.

There is no buy-French, buy-British, or buy-European act but most European countries do not allow open bids for government contracts, or else they arrange to give preference to their own industries. For instance, a spokesman of Electricité de France has stated that a hydroelectric plant should be bought in France unless it is not available there. There are similar preferences in the railways and other nationalized industries.

The same thing happens in Germany and Britain, and altogether very few American firms try to sell to European governments. The Americans sent OECD (Organization for Economic Cooperation and Development) a questionnaire to find out what percentage of equipment is purchased abroad by the government of each member country. A U.S. official said, "If we had received replies to our questionnaire, we should have proved that the American Government buys more abroad than foreign governments buy in the United States." In the American list of nontariff obstacles there are few specific complaints. The firms concerned are too frightened of losing future business.

UNITED STATES URGES OPEN BIDS

The Americans' strongest complaint is against the secrecy which surrounds many European contracts. Their delegation has tabled a proposal at Geneva which would make it obligatory to publish all regulations and practices governing their procurement procedure, and criteria governing the eligibility of suppliers. According to this proposal, the list of firms invited to bid should be open to any foreign supplier on terms and conditions equal to those applicable to domestic suppliers. The text goes far enough in constructive directions to avoid any possible discrimination in this large area of international competition.

INDIRECT TAXES PROTESTED

The fiscal chapter raises fresh difficulties because of the indirect taxes which are much more usual in Europe than in the United States. The Americans protest especially against the added-value tax (AVT) and turnover taxes. These taxes are about 10 percent in the Federal Republic of Germany and much higher in France and Italy, where they reach 25 percent. When a French business exports, it recovers AVT; when it imports, AVT is calculated on the c.i.f. price increased by the customs duty.

For instance, if the duty is 20 percent on an article costing 100 francs, the AVT of 25 percent will be applied to 100 francs plus 20 francs. The Americans know that AVT forms part of the country's internal fiscal system and, therefore, they do not expect it to be abolished. However, they fear that the fiscal harmonization of turnover taxes, AVT and other indirect taxes which affect trade in the Six may, in the end, be fixed nearer the French level than the German. This would further reduce the American exporters' opportunities when the Community's common external tariff is in force and the duties between Common Market members have been abolished.

The Americans do make specific complaints on some points, including cars and alcoholic drinks. The Americans do not understand why the automobile road-use taxes in four European countries (Austria, Belgium, France, and Italy) should be calculated on cylinder capacity or fiscal horsepower instead of on the cost or price of the vehicle. Most European cars do not exceed 2,500 cubic centimeters or 16 fiscal horsepower; while (with the exception of the compacts) American cars exceed both these figures. The result is that a 220 SE Mercedes costing 48,000 francs in France pays tax of 150 francs (equal to United States $30) a year, while a Chevrolet Chevy II 200–400, which is only half the price, pays 1,000 francs (equal to United States $200) a year.

The American share in automobiles imported into France fell from 46 percent in 1955 to 2 percent in 1962. The Americans say that the drop is due to the annual tax imposed on October 1, 1956. Other factors, however, may also have contributed to this development: the growth and competivity of the European automobile industry, the Common Market, and the lowering of customs duties on German and Italian cars, the lower petrol consumption of European cars and the high cost of petrol in Europe compared with the United States.

Another subject of American complaint is the importation of alcoholic drinks into France where the advertising and sale of these drinks are governed by the rules for licensed premises and steps against alcoholism. The Americans claim that prohibiting them from advertising their bourbon whisky amounts to forbidding its importation and sale, for goods cannot be made known without advertising.

HEALTH REGULATIONS HELD RESTRICTIVE

When rigorously applied, health regulations can also form obstacles or restrictions, especially for food, including meat. The Americans complain of regulations prohibiting the entry into France of citrus fruits preserved with diphenyl (unless the method of preserving is shown on the packages) or chemically colored. They also dislike the rules against importing chickens from countries like the United States which do not prohibit the use of certain chemical substances, such as hormones and antimony for feeding poultry. Every country has health regulations but the important thing is that they should be neither discriminatory nor contradictory. Here also some harmonization between Europe and America is needed.

The American codes and regulations of which the British complained were mentioned in the earlier article, but there are grounds for similar complaints in Europe. The French weights and measures legislation contains a complicated regulation concerning air separation in the construction of petrol pumps. The British delegation considers that the formalities and delays involved in getting foreign-made pumps approved amounts to prohibiting their importation.

By reason of the regulations of the Technical Control Association, as interpreted and applied by the German Physics Institute testing office and the German Electrical Association, similar difficulties arise in getting approval for measuring apparatus (such as electrodynamic computers and precision levels), for electrical equipment (such as switches, motors, lighting equipment for instance), earthing terminals and circuit breakers. British exporters complain that here too the differences in standards are used as a means of dragging out formalities and thus defeating attempts to import such equipment into Germany.

Examples can be multiplied. Those we have quoted should be enough to confirm that nontariff obstacles are most often used as a roundabout means of protecting a home industry when customs duties no longer protect it sufficiently. Some countries, like the United States, rely on laws, regulations and codes, which they interpret or extend in case of need. Other countries, in Europe, do without actual laws but manage to keep some surprises up their sleeves.

It may take years to draw up a complete list of these obstacles to face them squarely and try at least to harmonize them while they are being gradually eliminated. The Geneva negotiations provide the opportunity for the countries involved to confront each other, and if the Common Market Commission makes a beginning by harmonizing regulations inside the Community, and if the United States, for their part, ease their legislation, the first big step will have been taken.

NOMINATION OF DR. CHARLES FRANKEL TO BE ASSISTANT SECRETARY OF STATE FOR EDUCATIONAL AND CULTURAL AFFAIRS

Mr. FULBRIGHT. Mr. President, I regret I was not present last week when the nomination of Dr. Charles Frankel for confirmation as Assistant Secretary of State for Educational and Cultural Affairs was considered by the Senate.

This disinguished philosopher is taking leave of a senior faculty position at one of our great universities to direct a bureau which does not always receive the attention it deserves. Dr. Frankel will be lending dignity to a position which, to my mind, has been vacant far too long.

During his long career as professor and Government advisor, Dr. Frankel has devoted much time to generating contact between nations in the fields of the arts and humanities. A keen observer of the process of social change, he is firm in his belief that mere propaganda, and criticism based on superficial and limited knowledge, must be replaced by an exchange of higher levels of understanding. A gentleman committed to the proposition that foreign policy should not, in his own words, "consist merely of a series of resolute and ingenious tactical operations," he is well suited for a job in which policy is based not on planning for emergencies, but where each measure of international conduct must be a concrete step in broadening the exchange of ideas, opinions, and experience. His philosophical concern for improving international communication has earned the respect of his colleagues throughout the world. His interest in explaining the American posture, clarifying our policies, justifying the decency of our motives and the strength of our commitment, will do much to alter the sometimes erroneous impression that American foreign policy is essentially passive and defensive. Dr. Frankel's general optimism for the future of western civilization, expressed in his recent scholarly work, "The Case for Modern Man," has made him an Ameri-

can whom foreigners have learned to trust and admire. His services can only benefit our international standing.

Mr. President, I ask unanimous consent that the following editorial from the Washington Post of August 25, 1965, pertaining to the appointment of Dr. Frankel, be printed in the RECORD at this point.

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

CULTURAL EXCHANGE

Selection of Dr. Charles Frankel as Assistant Secretary of State for Educational and Cultural Affairs affords a heartening indication that President Johnson attaches great importance to this subtle assignment. He should. Cultural exchange can not be said to control the relations between great powers. But it affords the best hope for reciprocal understanding, friendship and peace.

Dr. Frankel is a professor of philosophy at Columbia University. He is a scholar, a man of learning, who commands the respect of intellectual leaders abroad as well as at home. If in this sense he is a citizen of the world, he is also an articulate and forceful representative of American values, interests and points of view; he has been expressing these American points of view quietly but persuasively in international conferences for some time and will thus bring to his assignment much experience as well as intellectual capacity.

The Department of State needs Dr. Frankel's talents as leavening to the ordinary usages of diplomacy. The times may not now seem entirely auspicious for the exploitation of common educational and cultural interests among nations. But no opportunity for the development of such interests should be neglected. Dr. Frankel can be counted upon to develop them imaginatively and resourcefully.

HIGHWAYS AND NATURAL BEAUTY

Mr. HARTKE. Mr. President, on Monday evening of last week Rex M. Whitton, Federal Highway Administrator, addressed the 90th annual meeting of the American Forestry Association in Jackson, Wyo., on the topic "Highways and Natural Beauty."

Before turning to his major theme, Mr. Whitton outlined the present situation concerning our Federal roads program. He noted, as I have on several occasions pointed out in the Senate, the completion of the Interstate Highway System will result in a saving of 8,000 lives per year, and that it will give us enormous savings in monetary values.

In fact, it should be noted that the estimate given by Mr. Whitton for savings on completion of the system is considerably higher than that which I have previously cited. The figure I have used in the past is that of $11 billion per year, a figure which appears in a Bureau of Public Roads release of July 6, 1964, Mr. Whitton says in his speech, and I call attention to these new estimates:

The highway users * * * reap a handsome return in savings of time and vehicle operation costs, fewer accidents, and less driver strain—$7 billion this year and $21 billion a year by 1973.

It should be noted, however, that the context indicates that here Mr. Whitton is speaking of the total Federal road program rather than confining himself exclusively to the Interstate Highway program.

The entire address is worthy of note by Members of the Senate. It includes consideration of the bills before the Congress for control of outdoor advertising and junkyards in the process of highway beautification. There is consideration not only of the bills but of the philosophy which lies behind them.

Highways—

Says Mr. Whitton—

have social responsibilities far beyond their basic function of transporting people and goods.

I ask unanimous consent, Mr. President, that this address may appear in the CONGRESSIONAL RECORD.

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

HIGHWAYS AND NATURAL BEAUTY

(Remarks by Rex M. Whitton, Federal Highway Administrator, Bureau of Public Roads, U.S. Department of Commerce, at the 90th annual meeting of the American Forestry Association, Jackson Lake Lodge, Jackson, Wyo., Monday evening, September 6, 1965)

I am delighted to be here with you tonight, in one of the most beautiful parts of our wonderful America. It was something of a surprise to me, to learn that this is the 90th annual meeting of the American Forestry Association. The age of your organization certainly hasn't affected its vigor and fresh outlook.

I am delighted to know, too, that members of the National Council of State Garden Clubs are here. Happily, you have survived the era of the Helen Hokinson cartoon. Public—and Government—recognition of the sincerity and value of your public service efforts have now come into full bloom, like the flowers you love so well.

I want to talk with you tonight about highways and natural beauty. But first, if I may, I would like to explain briefly our Federal-aid highway program. It is an outstanding example of Federal-State cooperation, in which the State highway departments and the Federal Bureau of Public Roads have operated as partners for almost 50 years. The States choose the routes and projects to build, design them, and manage their construction. The Bureau's role is that of review and reasonable control, to safeguard Federal funds. All Federal aid for highways now comes from taxes on highway users, handled in a special trust fund.

I'm sure all of you have traveled on the Interstate Highway System, for which Federal aid is providing 90 percent of the cost. Nearly half of this 41,000-mile planned freeway network is now open to traffic, and it is scheduled to be completed in 1972.

Improvement of the 851,000 miles of roads and streets in the Federal-aid primary and secondary systems is our long-continuing, so-called ABC program. In this, Federal aid provides half of the project costs.

Work completed or put underway in the interstate and ABC program since 1956 has a total cost of over $42 billion, almost three-fourths of it Federal aid. The highway users, who have made this investment through their taxes, reap a handsome return in savings of time and vehicle operation costs, fewer accidents, and less driver strain—$7 billion this year and $21 billion a year by 1973.

There is another great saving, too. Every 5 miles of the Interstate System we open to traffic will save one more life a year, on the average; and the completed system will save 8,000 lives annually. Lifesaving in the ABC improvement program is less dramatic, but it is important, for these roads and streets carry much of our Nation's traffic. We are paying special attention now to those road locations that have known bad safety records.

This audience will have particular interest in the Federal highway program for national forests. As a matter of fact, the first legislation providing Federal highway aid, passed in 1916, provided funds for forest highways, too—and Congress put up $1 million for them and only $5 million for all the rest of the roads in the country, for that first year.

The funds, and the needs, have grown some since then, although you may be disappointed in the change in proportions. For the current fiscal year, Congress has authorized $1 billion of Federal highway aid, and $33 million for forest highways. Since these are the main traffic arteries into and through the national forests, Congress appropriates the money to the Bureau of Public Roads, and we work closely with the Forest Service and the State highway departments in planning its use.

The $33 million is only part of the story, however, for Congress has authorized $123 million for this fiscal year in the continuing program for forest development roads and trails. This program is administered by the Forest Service, although they call upon our staff for engineering assistance on some projects.

From that sketchy outline, I turn now to my theme tonight, highways and natural beauty. We in the highway profession recognize and accept certain basic responsibilities, whether in finding a specific new route location, designing a project, or planning an entire highway program. Certainly, we must provide adequate capacity, safety, and comfort and convenience for the traveling public. Certainly, we must pay due consideration to economy, in the broadest sense. Certainly, we must do our work with technical skill and integrity.

But we have other responsibilities in our planning: to cause the least possible disruption or damage—and even to enchance, where possible—the locations and situations upon which our highways impinge. These include forests and wildlife habitats, parks, recreation facilities, close-knit community areas, historic and scenic sites, and the landscape generally.

Such objectives are not always altogether attainable, but highway planners are sincerely trying to achieve them. If we cannot meet all demands by all interests, it is not because we are not interested. Sometimes the nontraffic demands conflict among themselves, or with traffic safety. Sometimes they are wholly unreasonable, or far too costly, or cannot legally be paid for from highway funds.

If highway officials have seemed hesitant to spend money for social needs and amenities affected by highway construction and use, it is because by tradition their responsibility has been to the highway user who pays the bills. But in this age of the Great—and complex—Society, the highway user must accept expenditure of reasonable amounts of his taxes for such purposes. I believe that he willingly does accept this, as a proper part of transportation cost and as a social responsibility. So the highway official need be less hesitant than he used to be.

Even in the past, perhaps, the highway official was somewhat remiss in his hesitancy. He felt it his duty to follow public opinion, or stay abreast of it, when he might more properly have been in the vanguard. This is a lesson we are learning, and there is still room for progress. I am happy to say that the Federal Government has been providing leadership and incentive in this direction; and I am proud to say that the Bureau of Public Roads has taken every opportunity to steer a forward course.

The President has called this year for positive action against our shabby roadsides. He recognized that not all roads are ugly; the many good examples, in fact, show what can be done. I might add that the President found many other flaws in the landscape; his beautification program encompasses much more than roads alone.

I might add, too, that the highway profession is neither averse to nor ignorant of esthetics in general and roadside beautification in particular. We have been actively promoting esthetics in highway location and design for some years. The States, too, have generally been attentive to this subject, as witnessed by adoption in 1961 of a policy on landscape development by the American Association of State Highway Officials. In many highway locations, the view from the road and the view of the road speak proudly of our efforts.

And our interest in America's natural and cultural resources is not new, either. By regulation issued in June 1963 and expanded in 1964, the Bureau of Public Roads requires the State highway departments, in planning Federal-aid highway projects, to protect and enhance fish and wildlife habitats, historic sites, and parks, playgrounds, and other recreation areas. Public agencies responsible for such resources must have opportunity to review project planning at the earliest possible stage.

The State must certify to us that due consideration has been given to suggestions offered by these agencies, and if it does not agree with any of them it must, in submitting projects for our approval, include valid reasons for their rejection. Many State highway departments have had longstanding policies or working arrangements of this sort. Our requirement assures nationwide and full attention to this aspect of highway planning.

An interesting project resulting from consultation and cooperative planning of this nature was completed not long ago, only 500 miles east of here. By combining highway embankment and dam construction, two lakes have been created alongside Interstate Route 94 in North Dakota, near the Bismarck-Mandan urban area. The work was planned and carried out by agreement among the State highway department, game and fish department, and water conservation commission, and the Morton County Board of Park Commissioners. The water and recreation agencies paid the extra cost of right-of-way and construction, and have stocked the lakes with fish. At two other places in North Dakota, under the same kind of arrangements, lakes have been created as part of Federal-aid secondary road construction projects. You can imagine the recreation values and tourist attraction offered by these roadside lakes.

But despite what we had been doing, far more needed to be done. President Johnson has now provided welcome leadership and emphasis on the highway beautification program.

Last January, in a letter to Secretary of Commerce John T. Connor, the President pointed to a number of possible actions, which the Bureau of Public Roads promptly put into effect. We have required that the State highway departments include landscaping as an integral part of all interestate, primary, and urban Federal-aid construction projects. We are urging increased use of Federal aid funds for landscaping projects, especially to screen unsightly areas. We have proposed development of many more rest areas and scenic overlooks on Federal-aid highways.

And we have continued to stress the basic principle, long known to and practiced by good highway engineers, that the skillful choice of route location is a major factor in the appearance of a highway and its effect on the landscape.

On May 26, only a day after the close of the White House Conference on Natural Beauty, the President formalized his interest in highway beautification by sending four pertinent bills to the Congress.

Two of these would require the States—as a condition of receiving Federal aid—to control outdoor advertising and junkyards along the interstate and Federal-aid primary systems. Federal aid could be used to share in purchase costs if necessary. The billboard control would be far more potent than the voluntary bonus plan which was available to the States from 1958 until last June, but was adopted by only 25 of them.

The third bill sent to Congress by the President would require the States to use 3 percent of their Federal-aid funds, without matching, for acquiring and enhancing scenic roadside areas beyond the needed right-of-way width. This would broaden and make mandatory a little-used provision of existing law.

The fourth bill would provide the funds to build scenic and recreational roads and for landscaping Federal-aid highways, by requiring the States to use one-third—$100 million a year at the current rate—of their Federal-aid secondary road funds for those purposes.

Passage of these four bills will greatly enrich the opportunity for highway builders to preserve and enhance one of the Nation's great resources—its natural beauty.

I know of no better way to express the merit of these four bills, and the role of highways in the United States, than to quote President Johnson's letter sending the bills to Congress: "* * * Federal-aid (for) highways * * * is an investment in the future of America. Surely that future will include the wonders of the natural world, as well as the growth of the world which man has made. We must invest in both these futures if we are to conquer the challenges of the modern world while protecting the values of our past." I sincerely echo the President's words.

This July and August, committees in both Houses of Congress held hearings on these bills and on the general subject of highway beautification. I think I am not reporting unfairly when I say that everyone seems to be in favor of roadside beautification, but there are doubts by some about who should pay for it—the highway user, the general public, or both in some proportion or other.

I want to point out that three of the four roadside beautification bills concern areas along the roadside but beyond the normal right-of-way line. The proposals of the President recognize that there are certain highway-oriented problem responsibilities beyond that line. True, it is a legal boundary for certain purposes. But the sight line from the highway does not end at the right-of-way line. The view is open across it in both directions, from either the road or the roadside.

Every householder, farmer, and businessman has a responsibility to keep his buildings and grounds reasonably neat and presentable. After all, they are a prominent part of the roadside scenery. It only takes occasional application of a little paint and a package of flower seeds, some periodic manual effort, and a continuing feeling of self-respect and pride to spruce up a house front or farmyard, and keep it that way.

Volunteer organizations can do much toward inspiring such individual action—not just once, or as an annual cleanup week campaign, but on a continuing basis. They can set examples of all kinds, too.

Public response to President Johnson's beautification program has been tremendous. Garden clubs, youth groups, and other citizens' organizations have been quick to offer their help. The hazards of working close to high-speed traffic are too great to suggest that such volunteers work within the highway right-of-way. But certainly they can undertake leadership activities such as I have just described. And they can undertake beautification improvements outside of the right-of-way line, with permission, on both private and public property.

The role of the Federal Government in highway beautification has been indicated in President Johnson's proposals. State and local agencies—not just the highway departments, but all of them—need to direct continuing attention to the problems of the roadside and the general landscape, too. Example, encouragement, and leadership—and legislation, regulation, and enforcement where needed—are the assortment of tools available to State and local government. I think they will find the public is ready and willing—if I may reverse an old saying—to be led up the rosy path to beauty.

There is another tremendous problem related to beautification for which the public as individuals are wholly responsible—the problem of litter, on the highway and everywhere else. Every State and local highway departments have active cleanup and anti-litter programs; and $100 million is spent each year to pick up the papers, bottles and cans, garbage, and even old mattresses that are carelessly—or deliberately—discarded along our roads and streets.

This money could better be used to make our highways safer and more efficient. Or it could be spent for beautification in a positive rather than what I call a negative way. The $100 million spent annually on litter cleanup would buy, for example, high-quality landscaping for 10,000 miles of rural or 3,000 miles of metropolitan area interstate highways; or 1,000 fully equipped safety rest areas or 4,000 scenic overlooks.

A little more care and conscience by everyone would come close to solving the litter problem—all we need to do is reverse our national fault and make nonlittering our national habit. Government, both State and local, should have strong antilitter policy and law. And leadership should also come—and it is—from citizen and business organizations.

Many of them are now involved in a massive campaign to educate the public on this problem, and a good job is being done in a variety of ways. One to which I would like to see some good part of our effort devoted is getting every car equipped with a suitable litter container. I am thinking not of the small litter bags commonly sold or given away, but of a more sizable container; one that can hold most of the objects—both in size and quantity—that form our daily discards and comprise our major litter problem.

We could go a long way toward solving the problem if we could promote widespread use of such litter containers in cars, and also promote the habit of emptying them in proper trash cans at home or at service stations. I would hope in time that automobile manufacturers would see the public acceptance and demand for practical litter containers, and would install them in new cars as standard equipment.

Just look at the economics of such a move. Our annual highway litter bill of $100 million equals $12 for every new car sold last year. I'm sure $12 is far more than the cost of a good factory-installed litter container. The one I have in my car cost about $2.50—and it's a pretty good one.

Another essential part of this effort would be a program to encourage service stations to maintain conveniently placed, uniformly marked trash receptacles in which customers could empty their litter containers Overall, our objective should be to make it as easy

to dispose of trash properly as it is to be a litterbug.

As a final subject, tonight, I want to comment on the nature of roadside beautification. I think the phrase "natural beauty" conveys the entire concept of what is appropriate.

We don't want to plant balsam fir in Texas or organpipe cactus in Vermont. Clipped boxwood may look fitting along an urban freeway but not on a country road. And we have no idea of establishing roadside oases, equipped with artesian springs, in the desert. Whatever we plant should look as though mother nature had a firm, sensible hand in the planning.

The sensible part is just as important as the natural part, in roadside beautification. We're going to have to take care of what we plant. Consequently, in most situations our plantings must be hardy, native materials that can survive and thrive on their own. And they should be of such nature that the roadside can largely be tended by mechanical maintenance. This means no continuous rows of trees close to the pavement or scattered frequently and haphazardly along the roadside slopes. These larger scenic elements are best handled as clumps or clusters, spaced at reasonable intervals, both for better appearance and economy in mowing operations. Sizable trees, of course, must be set well back from the roadway, for safety's sake.

Native wildflowers of the more hardy types—bluebonnets, daisies, wild azaleas, trumpet vine, black-eyed susans, and the like—can be encouraged along the roadway, and mowing can be postponed for their blooming season.

For some special locations—in cities and at rest areas, for example—more extensive and unusual plantings may seem fully appropriate. But we must then be prepared not only for higher initial cost but the continuing and not inconsiderable expense of watering and hand-labor maintenance.

Roadside beautification thus does have some metes and bounds—but moderate expenditure, good commonsense, keen imagination, and the will to do a good job can give us highways that will provide a real pleasure ride and will truly enhance the landscape.

The call for roadside beautification is only one aspect of an increasing recognition by Federal officials and legislators, paralleled in many of the States, that highways have social responsibilities far beyond their basic function of transporting people and goods. That function is vital to the Nation's well-being, without question. But equally without question, it cannot heedlessly override all other elements of the public and individual's well-being. And we must be attentive to the amenities as well as to the necessities of life.

Not that we need to forsake reality and integrity, or compromise on safe and sound design. I think we can fulfill our responsibilities to both the highway user and the public at large. I think we can build for both a practical and a beautiful America.

JOB CORPS "IMAGE"

Mrs. NEUBERGER. Mr. President, there is a possibility that the people who join the Job Corps will be stereotyped in the public mind. To show the fallacy of a Job Corps "image" I ask unanimous consent to include in the RECORD a letter to the editor of the Oregon Journal of August 30, 1965. This letter, written by a dormitory counselor in the Job Corps program at Tongue Point, Oreg., is a timely reminder that we must always treat persons as individuals, not merely as members of a particular group, faction or sect.

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

JOB CORPS IMAGE NONEXISTENT

To the EDITOR:

It is with trepidation that I write this letter, for I must use the term Job Corps in in order to assert that there is no Job Corps, and because it is through the press that I hope to make known my fear of the stereotype which the press is consciously or unconsciously attaching to the Job Corps.

The purpose of this letter is to make public the results of a study made last month of Job Corps students who visited Portland on weekend leave, July 16–18. To the best of my knowledge, the only information available to Portlanders about this visit was that three Job Corps students were arrested on charges of minor in possession.

For various reasons, only 35 of the 60 students in Portland responded to the anonymous questionnaires.

Summary: 85 percent enjoyed their stay in Portland. Major reasons: "I liked mostly the girls," "Being away from Astoria," "Staying in a nice home," "Lots of things to do and places to go," "Going to a church of my faith," and "Meeting girls who would hold a conversation with a Job Corps boy." Most common complaint: "I ran out of money." Three-fourths of the students spent $8 to $10.

Thirty percent of the respondents consumed some form of alcoholic beverage in Portland with 12 percent getting drunk or nearly drunk; 53 percent attended church services in Portland; 35 percent visited families for all or part of the weekend, and 81 percent of the others would have liked to. Almost all the students were glad in a way to be back at Tongue Point after an active weekend.

When asked how they liked the Job Corps, 60 percent were affirmative, 20 percent indifferent, and 20 percent negative. Representative responses: "It looks like San Quentin, man," "I don't, but I will stay as long as I can," "It's all right, but not the food," "I like it, but I miss home a whole lot," "I love it. It is a great opportunity."

Although the responses recorded here are brief, they point clearly to the conclusion that there is no "job corps" personality. The variety of responses and attitudes indicate the injustice of thinking of Ralph Jones as "a Job Corps boy" instead of as an individual who is studying in the Job Corps program. Second, even if we were to assign a model personality, the stereotype most people seem to hold is incorrect. The 70 percent who do not drink, who attend church, who want to visit families, and who are basically optimistic toward life, seem to be the "hidden good" whom no one cares to look for.

A final observation made less readily from this brief report than from actual observation is that in most cases these students are absolutely not "abnormal" or "inferior." Rather, special circumstances have intensified the frustrations and insecurities we all feel. The end of those circumstances and the first steps toward alleviating those frustrations and insecurities will come when we stop flattering our own egos by looking down self-righteous noses, and begin to understand and love "our neighbor."

Are there 500 families among the 1 million inhabitants of Greater Portland who would invite a student 2,000 miles from his home into their homes for Sunday dinner?

CARL SIMPSON.

TONGUE POINT.

(Writer of the above letter is a summer dorm counselor at the Tongue Point Center and a senior at Stanford University.—The Editor.)

THE CRIME OF UNSAFE TIRES

Mr. HARTKE. Mr. President, it was my privilege to preside over the hearings held by the Commerce Committee recently on automobile tire safety.

The situation is one which totals up to little less than shocking chaos. Senator NELSON is author of the bill on which the hearings were held, S. 1643, and I am a cosponsor. The witnesses before us included top officials of the major automobile companies, and their statements and their responses to questions concerning safety, tire sizes, loads, and air pressure did not bring order out of the chaos. The plain fact is, there appears to be no common acceptable agreement on what is a safe tire. I have received, as has Senator NELSON, numerous letters from persons who have experienced failures and blowouts on tires furnished as original equipment on new cars, tires which have been driven only 4,000 or 5,000 miles and even less.

Senator NELSON is the author of an enlightening article on the subject which appears in the September issue of the Progressive under the title "Death on Wheels." The article contains information developed by Senator NELSON and in the committee, and it is a valuable contribution to the question of automobile safety, and particularly to tire safety.

I ask unanimous consent that this article may appear in the CONGRESSIONAL RECORD.

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

DEATH ON WHEELS

(By Senator GAYLORD A. NELSON)

Who speaks for the American public in the field of highway safety, where we are killing more than 47,000 people every year?

The tolerance which the American public has developed toward death on the highway is one of the strange phenomena of our lives. At a time when the national conscience has been aroused, as never before, over justice to all men, we remain largely indifferent to the mass murder, the pain and suffering, and the brutality which occurs every day on our highways.

Whole families are wiped out; children are maimed or lose their parents; economic losses soar; and our courts become clogged with civil damage suits and traffic violation cases. Yet publicly we do almost nothing.

One reason may be that this is in an age of technology in which we worship machines and the men who make them. A mere mortal hardly dares to question whether that growling tiger at the curb, with its 400 horsepower engine, its bucket seats, and chromium wheel spinners, is the proper mode of transportation for an American family.

What is the role of democratic government in an age of technology? Do we surrender our authority to the engines and engineers?

As Governor of Wisconsin, I became more and more concerned about our rapidly rising highway death rate, which is now well over 1,000 per year in that State. We developed a comprehensive highway safety program involving a marked increase in traffic law enforcement, better driving training, and expanded research and education in the safety

field. But we got no further during my 4 years as Governor than have most other State Governors in similar situations.

Since becoming a Senator, while still recognizing the need for action at the State and local level I have sought to find the proper role which the Federal Government should play in this mounting national crisis. Although they are only a partial answer, I have introduced three bills:

To establish a national system of tire grading and labeling and to ban unsafe tires.

To require all new cars to incorporate the special safety features now required on cars bought by the Federal Government.

To appropriate $5 million for a special program of Federal safety research, leading to the design and construction of a series of prototypes of safely constructed automobiles.

Frankly, I introduced these bills as a relative novice in this field. I was dumbfounded by the astonishing and shocking information that deluged me once I stirred up this issue. Letters poured in from motorists, tire dealers, Government purchasing agents, doctors, and attorneys representing accident victims.

The problem is far worse than I ever imagined. It seems clear that the concern for the public interest in automobile and tire design and manufacture is almost completely obliterated by the competitive pressures in these industries.

It is easy to hurl wild charges and to terrify the public with grisly statistics. But no charge by a politician, no statistics on highway slaughter, no pictures of mangled bodies in highway collisions could be as shocking as the facts brought out in the last few months.

The story begins with 3 days of hearings before the Federal Trade Commission early this year to consider whether tires are adequately labeled at the present time. The Federal Trade Commissioners were as stunned as I was when the highest officials in the automobile tire industry testified that:

Quality labels on tires, such as "deluxe," "premium," and "first line," have no meaning whatever and "there is no way to tell one tire grade from another."

Size labels on tires were never meant to indicate the precise size. The notion that these labels were meant to indicate the exact size is merely a recent misunderstanding on the part of the public. It is perfectly possible for a 7.50 by 14 tire to be larger than 8.00 by 14.

The ply or ply-rating labels on tires have no understandable meaning anymore.

Tires supplied by the auto industry with its new cars are not designed to carry the full load for which these automobiles are designed.

These are not charges made by a legislator trying to pass a bill. They are the official explanations of standard practices within a great American industry which affects the lives of almost every citizen and which is trying to avoid Federal regulation.

After studying the 635-page manuscript of the Federal Trade Commission hearings, I stated publicly that I thought it documented a national scandal in automobile tires. I made my arguments on the Senate floor and before the Senate Commerce Committee. They were given nationwide press coverage and yet, so far as I can tell, the responsible officials in industry paid no attention, although the Akron bureau of the Cleveland Plain-Dealer reported that an unidentified tire industry spokesman had brushed off my remarks as "a politician picking a dull day in the Senate to read something into the CONGRESSIONAL RECORD."

For that reason, I wrote to the presidents of the four major automobile manufacturing firms and asked them directly about these sensational disclosures. Their replies, as expected, made a strong defense of their present practices. Yet not a single one of the revelations from the FTC hearings was refuted. In fact, the replies from the automobile manufacturers added up to complete confirmation of the hearing disclosures.

One might have thought that these automobile manufacturers would write back and say, "Of course our tires are safe for any reasonable use to which our cars may be put."

But that is not what they said. Almost like lawyers drafting a contract, they worked in careful, qualifying language to protect themselves and to shift the responsibility to the motorist.

The simple fact brought out at the FTC hearings, and confirmed by the automobile manufacturers in their letters to me, is that tires are selected for new cars on the assumption that they will carry approximately three passengers and no luggage—this, in an age when cars are bigger than ever, when they have monstrous trunks, when a fantastic array of accessories is available, and when many family cars and station wagons are put to a tremendous range of uses hardly known a few years ago.

The most important question I asked the auto makers was whether their tires could carry a full load in extended travel at modern highway speeds.

American Motors replied that its cars could carry a full load provided the tires were specially inflated. "The front tires should be inflated from 24 to 26 pounds and the rear tires to 30 pounds," American Motors said. When the tires are specially inflated in this manner, they are "adequate for occasional full load service," the company told me.

This is a shocking admission, but almost the same information came from the other manufacturers.

General Motors conceded that the "design guide in selecting tires" was three passengers, but said that its sedans could carry six passengers plus 200 pounds of luggage, provided the tires were specially inflated to 28 pounds in the front and 30 pounds in the rear. Chrysler said simply that its tires were adequate "provided they are properly maintained," but it uses similar tires and its cars have similar weights, so apparently the same principles apply as in General Motors' case.

Ford conceded that "it has been customary to make tire selections on the basis of a three-passenger load," but said that its sedans could carry six passengers plus luggage (up to a maximum of 1,100 pounds) if the tires were specially inflated to 30 pounds in front and 32 pounds in the rear. If a Ford station wagon is expected to carry a full load (which Ford considers to be six passengers and 400 pounds of luggage, or eight passengers and 100 pounds of luggage, totaling 1,300 pounds) then its tires must be specially inflated to 28 pounds in the front and 36 pounds in the rear.

What more sweeping confirmation could there be of the existence of a national tire scandal? The very companies which are pouring out automobiles at the rate of 7 million or more a year concede that their cars cannot safely carry their full, designed load unless the tires are constantly inflated and deflated according to a set of tables hidden somewhere in a driver's manual.

I wonder if there is a motorist on any highway in America today who is calculating the load of this car, his accessories, his passengers, and his luggage to within 100 pounds, then carefully adjusting his tire pressure in an attempt to stay alive. I doubt that most motorists could tell you the amount, within 5 pounds, of air pressure they have in their tires. I doubt that many could tell you the total loads they carry, either regularly or occasionally. Obviously it is ridiculous to expect American motorists to carry out the daily—or even hourly—inflation and deflation ritual prescribed by the auto makers. Do you think that the president of the Ford Motor Co., for instance, stops at a gasoline station on the way to work to inflate his tires if he has five of his associates riding with him? Will he stop again on the way home at night to deflate if only two of them ride back?

In addition to being unrealistic, this special inflation program, in my opinion, is downright dangerous. I asked a high official of the Tire and Rim Association, the accepted spokesman for the tire industry, what he thought of a suggestion that motorists should inflate their rear tires from 24 to as much as 36 pounds to increase their load-carrying capacity. His answer was that there is a great disagreement within the industry as to proper tire pressure, but that the consensus is that 36 pounds would be too much pressure, would cause excessive wear, and could cause a blowout.

After poring over the automakers' replies, plus the beautiful manuals and accessory brochures which they sent along, I became convinced, more than ever, that only the Federal Government can protect the public interest in automobile safety.

The automakers know that their tires are not adequate. If you read their manuals, you will find this confirmed a hundred ways. You are supposed to switch to a larger tire if you add an air conditioning unit with its extra weight to some models, for instance. If we are that close to the edge of safety, why should not all of the cars of such models have the larger and safer tires?

At the same time, you are urged to load up your car with a fantastic array of accessories, including a camper top large enough for a small family to sleep under. How many cars loaded down with such accessories, or pulling heavy trailers, are speeding along our highways on tires overloaded by as much as 500 to 1,000 pounds each?

If you believe the automakers, no one can really answer such questions because no one knows what the maximum safe tire loads are.

The May issue of Consumer Bulletin states that the full-size Ford, Chevrolet, and Plymouth "have overloaded tires, and we suggest that the consumer order his car with tires of the next larger size." Paul Rand Dixon, Chairman of the Federal Trade Commission, testified before the Senate Commerce Committee that "anyone in his right mind" buying a new car would ask the dealer to install the next larger tire.

These statements were based on comparing official car weight figures with the tire load ratings of the Tire & Rim Association. Yet when these apparently irrefutable facts were presented to the automakers, their answer was simply that these association figures are not intended to be maximum loads.

"The Tire & Rim Association yearbook load inflation tables never have indicated maximum capacities," says Ford.

Apparently, we must fit tires to cars so as to carry certain maximum loads without knowing the maximum carrying capacity of a tire. The automakers' position seems to be that they test their cars carefully on proving grounds and elsewhere, and if the tires do not fail, they are considered adequate.

Certainly that is not enough assurance for the American public. In this age of advanced science and technology, there is no reason why we cannot develop sensible, reasonable, understandable standards for automobile tires to enable the automakers and the individual motorists to make a safe and intelligent selection.

I dwell on tires simply because that is the field in which we have gathered the most evidence, but the same problem of safety exists in the manufacture and sale of the modern American automobile.

The Federal Government cannot remain indifferent to automobile design when we are killing more than 47,000 people and disabling 1,700,000 more a year. We have an elaborate program of regulation and supervision in the aircraft industry, yet 50 times as many people are killed in auto accidents as in airplane accidents. Last year was the safest year in airline history and the worst year in highway traffic history.

The Federal Aviation Agency will spend $40 million next year in research and development. The FAA is intimately connected with every phase in the construction of an airplane. As one commercial airline publication put it:

"From the time a designer first put pencil to paper, FAA inspectors carefully followed its development to make sure that design and production methods and facilities met rigid FAA standards. These inspectors lived with the first models as they came down the assembly line, and their aeronautical engineers were present when the FAA production test pilots took the plane aloft for a very thorough flight test program."

Think what we could do to reduce our appalling highway death rate if we were similarly concerned about safe automobile design.

Much of the criticism of unsafe features on automobiles runs the risk of sounding somewhat petty. It is true that a different knob on an ashtray or the elimination of reflections on the dashboard and windshield wipers probably would not greatly affect our national death toll.

But the real point is that basic principles of safety are not the controlling factor in automobile design. Cars today are designed to sell. And what sells are glamour and horsepower and a strange form of status which certainly have no connection with safety and may actually run counter to safety principles.

The money which the industry itself spends on safety research is often wasted when styling trends override sensible conclusions. There already is abundant expert know-how available to show us how we can improve automobile design in such a way as to sharply reduce highway fatalities.

The U.S. Public Health Service accident prevention bureau estimates that 43 percent of the people who die in auto accidents die under survivable conditions. A number of expert studies by university professors and scientists have reached conclusions such as these:

If cars were built so that heads would not strike windshields and dashboards, one out of five of those killed in accidents could be saved.

When a person is thrown from a car, the chance of being killed is five times as great.

Occupants could probably survive any crash up to 35 miles per hour if cars had shoulder-harness seat belts, doors which did not fly open, and steering wheels designed to protect the driver.

The steering column and the steering wheel are key factors. In many cars, the bottom of the steering column projects close to the front bumper. In a collision, it is driven back with tremendous force. In some cases, the steering column "spears" the driver. In other cases, the steering wheel strikes the abdomen or chest with such force as to cause fatal injuries.

Scientists have shown how this problem could be corrected by use of a flexible steering shaft instead of a rigid column, and through the redesign of the steering wheel itself. But this is a change which the industry resists very strongly.

The Federal General Services Administration has developed 17 safety features which will be required on all federally purchased cars beginning with the 1967 models. I hope that the States will set similar requirements for cars which they buy.

If we can set these safety standards for publicly owned vehicles, surely we can extend the same degree of safety to all automobile purchasers. These specific 17 features are not the perfect answers. The important thing is to have a responsible government agency with an official concern for automobile design, and the authority to set minimum safety standards to protect the motoring public.

It has been my experience over the years that all industries which deal with the public will oppose any attempts to regulate them in an effort to protect the public interest. They will say that we are destroying free enterprise, that we are substituting political vote-getting for scientific expertise. But while they protest, they often begin to carry out the very reforms that they oppose. We have just seen this happen in the field of detergent pollution. Early in 1963, I introduced legislation to require the soap and detergent industry to convert, by July 1, 1965, to a new form of detergent which would decompose in the sewage treatment processes and would not pollute our water supplies. The industry howled in outrage and said such a move was unnecessary and impossible. Detergent pollution was good because it warned of other pollution, the industry argued. The bill has still not passed, but on July 1, 1965, the soap and detergent industry proudly announced that it had completed the changeover which it had said was not needed and could not be achieved.

I hope that the same thing might happen in the fields of automobile and tire safety. It has been suggested that the automakers equip their cars with the next larger size tire than those now used, to end the overloading which they now concede. Two of the four automakers have already announced that they will voluntarily include, on all their cars, some of the 17 safety features required on Federal cars by the General Services Administration. These features are required on all cars under the terms of my auto safety bill.

If the manufacturers will move voluntarily, it will certainly speed up some meaningful action to reduce highway deaths. But it will not provide a final answer.

Someone must speak for the public interest until safety is made an integral and lasting part of the design, manufacture, and sale of automobiles and tires. In a nation as far-flung and as widely traveled as ours, only a Federal agency, backed with enabling legislation, can provide an adequate voice.

WE ARE BUYING DEATH

Here are some typical letters from motorists received recently by Senator NELSON:

R. L. Templeton, Wellington, Tex.: "My only son was killed when a defective tire blew out on a new car. These new cars with 2-ply tires are a fraud and a shame. We think we are buying safety but we are buying death."

Paul Worland, Cheyenne, Wyo.: "At 800 miles I had my first blowout (on a new 1964 Oldsmobile). At 1,500 miles I had my second, and when the car was 3 months and 21 days old, I had another blowout—just as I was passing another car. My wife was painfully injured. I totally wrecked my new car and damaged the other to the extent of several hundred dollars."

Clifton D. Hill, Northville, Mich.: "In November 1963, I purchased a Ford Thunderbird which had new 2-ply tires (Goodyear tires). * * * When there was 6,000 miles on the car, one tire blew out and caused me to cross over a median of a superhighway in Canada and almost have a fatal accident. At 7,200 miles another tire blew out at Gaylord, Mich., causing me to go into a ditch."

Mrs. Richard A. Williams, Hermosa Beach, Calif.: "In November 1962, we bought a factory fresh new Mercury station wagon equipped with five brand new tires (Goodrich tires). In the summer we left California for a 2-week trip to the Midwest. Before we returned we had blown out all five tires. While traveling through Arizona, out in the middle of nowhere, we blew two tires at one time * * *."

ADJUSTMENT IN CIVIL SERVICE AND POST OFFICE ANNUITIES

Mr. SPARKMAN. Mr. President, recently it was my privilege to appear before the Subcommittee on Retirement of the Senate Committee on Post Office and Civil Service in support of H.R. 8469. At that time, it was made clear by my testimony and now it has been made clear by my vote that I supported H.R. 8469. However, as I said at the hearing and I say now after passage of H.R. 8469 that I do not feel that the provisions in this bill in many aspects are sufficient to correct the inequities now existing in the present annuities paid to civil service and post office retirees.

The responsibility to meet the exploding costs of living by adjustments in civil service and post office annuities belongs to us, the Senate, and our fellow colleagues in the House of Representatives. We are in agreement that necessary adjustments must be made, but we must go beyond H.R. 8469 and we must immediately begin considering future legislation to balance the annuities of retired employees and to compensate survivors' annuities further.

As of June 30, 1964, approximately 75,000 survivor annuitants are drawing less than $50 per month; 50,000 retiree annuitants are drawing less than $50 per month; and a shocking combination figure of 275,000 retiree annuitants and survivor annuitants are drawing less than $100 per month, and 475,000, less than $200. As you can see, Mr. President, there are inequities involved in the present civil service and post office annuity program.

Certainly, H.R. 8469, will bring these figures more in line, but still there is a need for future legislation. The sooner we act, the sooner the inequities will be resolved. So last week I urged passage of H.R. 8469, but today I ask Congress to begin considering future, more comprehensive legislation in this field.

MEDICARE AND THE PSYCHIATRIST

Mrs. NEUBERGER. Mr. President, in the recently enacted medical care bill, I supported amendments aimed at eliminating several discriminatory clauses relating to the treatment of mental illness. Though my own proposal would have provided the elderly with the same equal protection in psychiatric hospitals as provided in general hospitals, the final version retained a discriminatory feature by imposing an overall lifetime limitation of 190 days for inpatient psychiatric treatment.

Dr. Robert W. Gibson, director of the Sheppard & Enoch Pratt Hospital in Towson, Md., and spokesman for the American Psychiatric Association, noted in the September 1965 issue of Mental Hospitals the encouraging developments taken by Congress in providing for treatment of mental illness under the health

care bill. Dr. Gibson's editorial points to the general trend of a more sympathetic understanding of mental illness. Congress, by passage of medicare, has moved in this direction. Dr. Gibson admonishes psychiatrists and private insurance to follow suit:

Medicare should serve as an example for private insurance programs to handle the mentally ill as they do persons suffering from other illnesses. It can even influence the opinion of the general public about the mentally ill. No longer will they be a group that must be treated differently and denied the benefits given to others.

If the psychiatric patient is to be treated just like other patients, it is the psychiatrist who must give leadership in solving the many problems that will arise.

I applaud Dr. Gibson not only for his significant contribution to the medicare legislation, but for his foresight and wisdom in understanding the realities of the future. Congress can only do so much in providing for the general welfare by enacting constructive programs. It takes the cooperative efforts of all sides before the true value of these programs is fully realized and successfully applied.

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

MEDICARE AND THE PSYCHIATRIST'S RESPONSIBILITY

(By Robert W. Gibson, M.D., medical director, Sheppard and Enoch Pratt Hospital Towson, Md.)

Many of the issues surrounding medicare are highly complex, but one is remarkably simple. The complex issues concern the effect on hospitals across the country, the specter of socialized medicine, and the economic impact on the wage earner who supports the program and on the retired person who benefits from it. But for psychiatry medicare posed one very simple issue: discrimination against the mentally ill.

The first version of the bill (H.R. 1, King-Anderson) contained a simple clause excluding any institution that was primarily for the care of the mentally ill. This meant that medicare would pay for psychiatric treatment only in psychiatric units of general hospitals. Although the number of such facilities has increased in recent years, there are still far too few beds to meet the needs. Furthermore, there is no reason why these units should be expected to meet the needs of most psychiatric patients, since they offer a specialized service and do not attempt to treat the full range of mental illnesses. Moreover, many of these units will not accept patients over 65.

In early discussions with Members of Congress, their staffs, and those persons from the Department of Health, Education, and Welfare who were working on the bill, we learned that there had been virtually no public reaction to the announcement that psychiatric hospitals would be excluded. This situation was soon corrected by Daniel Blain, M.D., then president of the American Psychiatric Association, who vigorously protested against this exclusion. His protest was strongly supported by the National Association of Private Psychiatric Hospitals, the National Association for Mental Health, and the National Association of State Mental Health Program Directors. Through the coordinated efforts of many individuals representing these four organizations, the basic message—eliminate discrimination against the psychiatric patient—was brought to the attention of Congress. This message found sympathetic ears. In response to requests for information, we were able to demonstrate that the exclusion was not justified: that the cost of including treatment for mental illness would not be prohibitive; that mental illness is not simply a local problem being adequately handled by State hospital systems; and that most psychiatric patients over 65 could be rehabilitated.

When the bill came out of the House Ways and Means Committee, significant gains had been made. The concept of a voluntary health insurance program had been developed, and persons who chose to participate at a cost of $3 a month would have some psychiatric coverage. Even so, some qualifications made it clear that mentally ill persons were still being placed in a special category.

When the bill went to the Senate, the APA was given the opportunity to testify before the Senate Finance Committee. As APA's official spokesman, I was able to present the basic position so strongly stated by Dr. Blain: we should root out all discrimination against the mentally ill, lock, stock, and barrel. Through the strong support of Senators MAURINE NEUBERGER, Democrat, of Oregon, and EUGENE MCCARTHY, Democrat, of Minnesota, the Senate eliminated with a few exceptions the discriminatory clauses. As it now stands, active treatment in a psychiatric hospital could be obtained under the basic hospital insurance plan. Although no such restriction was made for any other illness, a 190-day lifetime limit was placed on coverage for psychiatric hospitalization. While we are grateful for the tremendous progress that has been made, our basic position remains unchanged: we want discrimination totally eliminated, and we hope that after experience is gained, the 190-day lifetime limit—this vestige of discrimination—will be wiped out.

Gains have already been made that can lead to far-reaching benefits for the mentally ill. From its inception, the public assistance program excluded patients hospitalized for mental illness. This exclusion has been eliminated, provided States improve their services to attain a satisfactory level of intensive treatment. There are other indications of a changing attitude. For example, when a provision was enacted to give coverage for "each spell of sickness" beyond 60 days, there was no hedging about the psychiatric patient. He, like patients with other illnesses, can take advantage of the extra 30 days.

This general trend toward eliminating discriminatory restrictions against the mentally ill supports the contention that there is more at stake here than the medicare bill itself. There is every reason to believe that the bill will lead to widespread reform in all health legislation. Medicare should serve as an example for private health insurance programs to handle the mentally ill as they do persons suffering from other illnesses. It can even influence the opinion of the general public about the mentally ill. No longer will they be a group that must be treated differently and denied the benefits given to others.

Progress so far is encouraging, but it would certainly be premature to conclude that we have won our point on the simple issue—eliminating discrimination against the mentally ill. Nevertheless, we must begin to face up to the complex issues. If the psychiatric patient is to be treated just like other patients, it is the psychiatrist who must give leadership in solving the many problems that will arise.

Each year about 48,000 patients over 65 years of age are admitted to State mental hospitals, and 7,000 patients over 65 to private psychiatric hospitals. Preliminary surveys indicate that, with active treatment and adequate follow-up services, about three fourths of these patients could be discharged within 2 or 3 months. With psychiatric hospital services available under medicare, there is going to be a tremendous increase in the demand for intensive treatment for the older patient. Medicare does not provide for custodial care. On the contrary, the whole emphasis of the bill is on benefits for those who can be rehabilitated through active treatment.

The present geriatric services throughout the country are totally inadequate to meet this increased demand. They must be improved and expanded. New services must be developed. This will present a whole series of problems and will severely tax our all too few psychiatric personnel. The need for hospital services will be felt first, but this will soon be followed by a demand for the whole range of modern psychiatric treatment facilities—outpatient services, day hospitals, sheltered workshops, and the rest.

We psychiatrists must continue to fight for the fundamental right of each of our patients to receive treatment on an equitable basis. On all sides we see indications that progress is being made. In particular, Congress has moved in this direction with the medicare bill. If the ultimate victory can be won, the psychiatrist must provide leadership and consultation to draft appropriate regulations. He must see that the psychiatric benefits are not abused, and he must do the plain hard work that will be required to meet the massive psychiatric needs that have been so long neglected.

"CONSUMERS DIGEST"—A DISCOUNT CATALOG

Mr. HART. Mr. President, always, it seems, there are those who can find some way to exploit a worthwhile trend for their own financial advantage. The bulletin of the Better Business Bureau of St. Louis for July-August 1965 offers new evidence of this fact.

Because those that would be exploited are consumers who are making a sincere effort to be more informed in their purchasing, the "Consumers Digest" gimmick is particularly distressing to me.

On general principles—and because I understand the "Consumer Digest" mail solicitation is entering this area—I ask unanimous consent that the Better Business Bureau report be printed at this point in the RECORD.

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

[From the Better Business Bureau Bulletin, July-August 1965]

"CONSUMERS DIGEST"—A MERE DISCOUNT CATALOG

Playing on the currently popular magic of the word, "consumer," a Chicago outfit under the name of "Consumers Digest" is offering "charter memberships" to whoever sends in a $7 subscription.

For the $7 annually, you are supposed to get: Consumers Digest magazine every 2 months; Consumers Digest Price Buying Directory (published annually); and what is described as a "Library Answering Service."

The firm, operated by the brothers Arthur and Louis Weber, does not sell merchandise: it merely sells information as to where you are supposed to be able to buy national brand merchandise at alleged substantial discounts from list prices.

The membership invitation, signed by one Kenneth Holgate, tells you that:

"You can start right now to increase your family savings $25—even as much as $100 or more a month. As a member of Consumers Digest Price Buying Service, you save up to 50 cents of every dollar you spend on nationally advertised products of every kind

for the home, the office, for recreation, for personal advancement—for the things which make life worth living.

"For instance, if you had been a member when you bought your last car, you could have saved up to $1,000 on its purchase. If you and your family are users of vitamins, you could have bought the same nationally advertised brands you now use for as much as 50 percent less. Same goes for most of your purchases."

Noting that many of the items listed in the directory sell regularly in usual retail outlets for far less than the "list prices" quoted, an investigator for the Chicago Better Business Bureau set out to have a chat with the Consumers Digest people.

Seeking the "Consumers building" as advertised in the mailing prices, he looked for a building at the originally advertised address, 1102 Third Avenue, Des Plains, Ill., he found only a single family house in a residential area—once upon a time but no longer occupied by Consumer Digest.

The investigator then went to another Consumers Digest listed address, at 5756 North Lincoln Avenue, Chicago, Ill. This was entirely vacant except for a telephone. Undaunted he went on to 6313 North Lincoln Avenue, Chicago, and found a two-story bulding, the lower front of which is in truth the operating headquarters of Consumers Digest, housing a few people selling catalogs for $7, but it does not house the reference library, which Consumers Digest illustrates but does not have.

An interested St. Louis lady and "charter member" of Consumers Digest, wrote politely to the "reference library," inquiring as to where some of the cataloged stuff could be purchased. She received a printed postcard in return bearing this "seal" of "Service—Integrity—Savings" and advising that the nearest place for her needs was in the Chicago area.

RECESS UNTIL 11 A.M. TOMORROW

Mr. DOUGLAS. Mr. President, in accordance with the order heretofore entered, I move that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 5 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Tuesday, September 14, 1965, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 13, 1965:

DEPARTMENT OF STATE

U. Alexis Johnson, of California, a Foreign Service officer of the class of career ambassador, to be a Deputy Under Secretary of State.

UNITED NATIONS

Mrs. Marjorie McKenzie Lawson, of the District of Columbia, to be the representative of the United States of America on the Social Commission of the Economic and Social Council of the United Nations.

The following-named persons to be representatives of the United States of America to the 20th session of the General Assembly of the United Nations:

Arthur J. Goldberg, of Illinois.

Charles W. Yost, of New York.

BARRATT O'HARA, U.S. Representative from the State of Illinois.

PETER H. B. FRELINGHUYSEN, U.S. Representative from the State of New Jersey.

William C. Foster, of the District of Columbia.

The following-named persons to be alternate representatives of the United States of America to the 20th session of the General Assembly of the United Nations:

James M. Nabrit, Jr., of the District of Columbia.

JAMES ROOSEVELT, U.S. Representative from the State of California.

Mrs. Eugenie Anderson, of Minnesota.

William P. Rogers, of Maryland.

Miss Frances E. Willis, of California.

DEPARTMENT OF LABOR

Arthur M. Ross, of California, to be Commissioner of Labor Statistics, U.S. Department of Labor, for a term of 4 years.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Francis Keppel, of Massachusetts, to be an Assistant Secretary of Health, Education, and Welfare. (New position.)

U.S. MARSHAL

Rex B. Hawks, of Oklahoma, to be U.S. marshal for the western district of Oklahoma for the term of 4 years. (Reappointment.)

DEPARTMENT OF DEFENSE

Robert A. Brooks, of Massachusetts, to be Assistant Secretary of the Army, vice Daniel M. Luévano, resigned.

John S. Foster, Jr., of California, to be Director of Defense Research and Engineering, vice Harold Brown.

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

FOR APPOINTMENT

To be senior surgeons

Henry Bosshard
William H. Cope
Seymour M. Perry
Charles R. Sharp
Richard B. Stephenson
Jan Wolff

To be surgeons

Jerome B. Block
Robert E. Burky
Joseph Davidson
James J. Egan
Harold E. Hall
Edward S. Henderson
William R. Kirkham
Robert D. Lindeman
Gines A. Martinez
Phillip G. Nelson
William D. Odell
Lewis E. Patrie
John T. Schwartz
Frederick Snyder
Robert E. Stam
David H. Woodbury

To be senior assistant surgeons

Robert L. Allred
Richard M. Asofsky
Nicholas R. Bachur, Sr.
Frederic D. Ball
Richard R. Bates
Jon M. Beauchamp
Paul Bornstein
Harry L. Braeuer
Glenn O. Bratcher
Nijole V. Brazauskas
William R. Bronson
Paul W. Brown
Charles M. Cashel
Thomas R. Cate
Robert S. Chabon
Allen W. Cheever
Vincent A. Ciavarra
John M. Coyne
Clifford L. Culp, Jr.
Thomas E. Drake
James P. Durham, Jr.
Albert L. Ebaugh
Ernest Feigenbaum
Ronald K. Gary
Michael F. Glynn
Arlan J. Gottlieb
William J. Hale
James B. Halligan
Robert L. Hampton
John R. Hansell
George R. Herron, Jr.
James M. Holland
Paul V. Holland
Michael R. Hunsaker
Luverne A. Husen
Louis A. Ivey
James W. Justice
Harry R. Keiser
Aaron W. Kemp, Jr.
James R. Kimmey, Jr.
Donald E. La Marche
Ronald E. Lather
E. James Lieberman
William D. Lilly
Gerald L. Looney
James B. Lucas
Sanford P. Lyle
John R. Marshall
Larry J. Matthews
John A. Mazzarella
John W. McBride, Jr.
Clayton H. McCracken, Jr.
Charles D. McDonald, Jr.
Dale E. McFarlin
Michael J. Middleton
William E. Monk
Kenneth J. Monsma
Hugo Montes-Cardona
William M. Moore
Ronald A. Naumann
Guy R. Newell, Jr.
James R. Noonan
Abner L. Notkins
J. Coleman O'Gwynn III
Paul M. Packman
Lawrence V. Perlman
James C. Prescott
Donald L. Randall
Harvey P. Randall
Dwayne M. Reed
Martin Reivich
Richard L. Robin
Benjamin B. Rubinstein
Barney S. Saunders
Ronald H. Scheeringa
John J. Schrogie, Jr.
Myron G. Schultz
Derek J. Sharvelle
Paul R. Sondrup
Duncan E. Stewart
Allen H. Storm
William J. Straughen
Robert W. Sullivan
Stephen P. Swersie
Donald A. Swetter
Nicola M. Tauraso
James E. Taylor, Jr.
Edward A. Teitelman
Edwin A. Turner, Jr.
William I. Wade, Jr.
Spencer A. Ward
Kenneth S. Welsh
Leland D. Whitelock, Jr.
John J. Witte
Dennis E. Wolf
Donald G. Wong
Vernon G. Wong
Kirk D. Wuepper
William J. Yount

To be senior dental surgeons

Dean W. Darby.
Harold R. Englander.

To be dental surgeon

Thomas A. McDermott.

To be senior assistant dental surgeons

Thomas L. Austin
Wallace B. Brown
Gary E. Callow
Louis F. Cannavale
Patrick T. Cavalli
Edward B. Dowd
Jewell T. Gillahan
Keith A. Gordon
Maurice R. Hamill, Jr.
Gary C. Hammer
Clement H. Handlon
Jon A. Hays
Lester B. Hilborn
John N. Kent
Donald R. Merryfield
Norman Nepo
William H. Olson
John J. O'Neill
Richard R. Ranney
James E. Standifer
Thomas M. Tarpley, Jr.
Frank D. Tice
David A. Wallace
Victor E. Walters
Richard L. Webber

To be senior assistant sanitary engineers

Donald G. Myer.
Francis L. Schulte.

To be assistant sanitary engineers

James S. Benson
Leslie M. Dunn
George W. Fisher
Allen G. Leary
Thomas L. Marshall
James G. Payne, Jr.
Marion R. Scalf
Claude A. J. Schleyer
Garry E. Stigall
Daniel A. Stock

To be junior assistant sanitary engineers

George E. Anderson
David L. Calkins
Joseph A. Cochran
Willard G. Hopkins
Thomas E. Kreichelt

To be pharmacists

Leslie E. Collins.
John M. Folmer.

To be senior assistant pharmacist

William A. Millar, II.

To be assistant pharmacists

Grover P. Art
Robert L. Ashmore
Thomas S. Bozzo
Dean M. Chetkovich
James F. Cooper
Joseph H. Deffenbaugh, Jr.
Paul T. Farrell
Sydney H. Hamet
Samuel C. Ingraham III

To be junior assistant pharmacists

Robert A. Epstein
Richard F. MacIntosh
Francis A. Quam
Harold G. Smith, Jr.

To be scientists

Malcolm D. Hoggan
George E. Thompson

To be senior assistant scientists

Leonard Chiazze, Jr.
Harley G. Sheffield

To be sanitarians

Raymond A. Belknap
Alfredo Casta-Velez
Virgil D. Grace
Charles J. Hart
Elmer D. McGlasson

To be senior assistant sanitarians

Gerald I. Goldschmidt
Stephen J. Pijar
James M. Stewart

To be veterinary officers

Everette F. Baker, Jr.
William M. Blackmore
Gerald A. Jacobson

To be senior assistant veterinary officers

Ezra Berman
David L. Madden

To be nurse officer

Meral J. Loewus

To be senior assistant nurse officer

Pietrina R. Ragaglia.

To be assistant nurse officer

Roberta J. Bessette.

To be assistant dietitians

Kathleen M. Doherty.
Sylvia Hatch.

To be junior assistant dietitians

Jacqueline S. Freeman
Geraldine A. Jevnikar
Margaret M. McNellis
Joanne L. Miller
Joyce D. Newman
Patricia M. Theis

To be senior assistant therapist

Robert N. Parrette.

To be assistant therapists

William W. Haley.
Leonard A. Stone.

To be health services officers

Lawrence T. Barrett.
Robert M. Pennington.

To be senior assistant health services officers

Iola G. Arnold
Erich W. Bretthauer
Stanley P. Farlow
Neil S. Goldstein
Melvin J. Meketon
Roger H. Schneider

To be assistant health services officers

John W. Biedenkapp
David W. Callagy
John M. Collins
Thomas G. Gallagher
Stanley J. Kissel, Jr.
Bert L. Murphy

FOR PERMANENT PROMOTION

To be senior assistant sanitary engineers

Charles H. Bolton, III.
Todd A. Cayer.
Eugene I. Chaiken.

To be senior assistant therapist

Neil O. Hartman.

WITHDRAWAL

Executive nomination withdrawn from the Senate September 13, 1965:

STATE DEPARTMENT

I withdraw the nomination of William J. Porter, of Massachusetts, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Saudi Arabia, which was sent to the Senate July 9, 1965.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 13, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with this verse of Scripture: Psalms 119: 18: *Open Thou mine eyes, that I may behold wondrous things out of Thy law.*

Eternal God in whom we trust; whose wisdom and purpose we accept and whose ways we must follow if we are to know the life that is victorious and triumphant.

Fill us with more of the spirit of love and good will that binds us to humanity in its hopes and aspiration and unites us more closely with those who have been wounded by some great sorrow or some desolating misfortune.

Help us to realize that what we need in our troubled world is not more books on this or that dogma, but more kind, helpful, and joyous lives which exudate the Christ-like spirit to others, enabling them to carry on courageously and hopefully.

Grant us to be more forgiving, because we have so much need to be forgiven and may we be faithful to all and most eager to be loyal to Thy wise and holy will.

May we accept this new day as a great gift, a divine opportunity to be coworkers with Thee and challenge for heroic endeavor.

In Christ's name we pray. Amen.

THE JOURNAL

The SPEAKER. The Clerk will report the Journal of the preceding session.

The Clerk read.

Mr. HALL (interrupting reading). Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. HALL. Mr. Speaker, I demand that the Journal be read in full.

The SPEAKER. The Clerk will read the Journal.

The Clerk read.

CALL OF THE HOUSE

Mr. ARENDS (interrupting reading). Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state his point of order.

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

The SPEAKER. The gentleman from Illinois makes the point of order that a quorum is not present.

Will the gentleman withhold that until the Chair receives a message from the Senate?

Mr. ARENDS. Mr. Speaker, I insist upon my point of order.

The SPEAKER. The gentleman insists upon his point of order.

Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 272]

Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Ashbrook
Ayres
Baring
Belcher
Bolton
Bonner
Cahill
Cameron
Casey
Cederberg
Clancy
Conyers
Craley
Culver
Daddario
Denton
Dickinson
Farnsley
Farnum
Foley
Fraser
Frelinghuysen
Grabowski
Griffin
Griffiths
Hamilton
Harris
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Henderson
Jacobs
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Lindsay
Long, La.
Long, Md.
McClory
McVicker
Macdonald
Mackie
Martin, Ala.
May
Mills
Murphy, N.Y.
Passman
Pepper
Powell
Reid, N.Y.
Reifel
Resnick
Rivers, S.C.
Roush
Ryan
St Germain
Shipley
Steed
Stephens
Thomas
Thompson, Tex.
Toll
Tupper
Wilson, Charles H.
Wolff
Wright

The SPEAKER. On this rollcall, 359 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. GROSS. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. MOSS. Mr. Speaker, I move to dispense with further proceedings under the call of the House.

Mr. GROSS. Mr. Speaker, I move to lay that motion on the table.

The SPEAKER. That motion is not in order.

The question is on the motion of the gentleman from California [Mr. Moss].

The question was taken; and the Speaker announced that the "ayes" had it.

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

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 226, nays 126, not voting 80, as follows:

[Roll No. 273]

YEAS—226

Abernethy
Adams
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Bandstra
Barrett
Beckworth
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Callan
Carey
Celler
Clark
Clevenger
Cohelan
Conte
Cooley
Corbett
Corman
Cunningham
Daniels
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Dow
Downing
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Fino
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Garmatz
Gibbons
Gilbert
Gilligan
Green, Oreg.
Green, Pa.
Greigg
Grider
Gubser
Hagen, Calif.
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harsha
Hathaway
Hays
Hechler
Hicks
Holifield
Holland
Horton
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jennings
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Landrum
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
Macdonald
Machen
Mackay
Madden
Mahon
Mathias
Matsunaga
Meeds
Miller
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morse
Moss
Multer
Murphy, Ill.
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pickle
Pike
Poage
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.

Roosevelt
Rosenthal
Rostenkowski
Roybal
Rumsfeld
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Sickles
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Widnall
Williams
Willis
Wilson, Bob
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—126

Abbitt
Adair
Anderson, Ill.
Andrews, N. Dak.
Arends
Ashmore
Baldwin
Bates
Battin
Belcher
Bell
Berry
Betts
Bow
Bray
Brock
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cramer
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Derwinski
Devine
Dole
Dorn
Dowdy
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Everett
Findley
Flynt
Fountain
Fulton, Pa.
Fuqua
Gettys
Goodell
Gross
Grover
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Herlong
Hosmer
Hutchinson
Jarman
Jonas
Keith
King, N.Y.
Kornegay
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Marsh
Martin, Mass.
Martin, Nebr.
Matthews
Michel
Minshall
Mize
Moore
Morton
Mosher
Murray
Nelsen
O'Neal, Ga.
Pirnie
Poff
Pool
Quillen
Reid, Ill.
Reinecke
Rhodes, Ariz.
Robison
Rogers, Tex.
Roudebush
Satterfield
Schneebeli
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stanton
Talcott
Teague, Calif.
Thomson, Wis.
Tuck
Tuten
Utt
Walker, Miss.
Watkins
Watson
Whitener
Younger

NOT VOTING—80

Addabbo
Andrews, George W.
Andrews, Glenn
Ashbrook
Ayres
Baring
Bolton
Bonner
Cahill
Cameron
Casey
Cederberg
Conyers
Craley
Culver
Daddario
Denton
Dickinson
Donohue
Ellsworth
Farnsley
Farnum
Feighan
Fisher
Fogarty
Ford, Gerald R.
Frelinghuysen
Gallagher
Gathings
Giaimo
Gonzalez
Grabowski
Gray
Griffin
Griffiths
Halpern
Harris
Harvey, Ind.
Harvey, Mich.
Hawkins
Hébert
Helstoski
Henderson
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Laird
Lindsay
McClory
McVicker
Mackie
Mailliard
Martin, Ala.
May
Mills
Murphy, N.Y.
O'Brien
Passman
Philbin
Reifel
Resnick
Rivers, S.C.
Rodino
Roush
Ryan
St Germain
St. Onge
Shipley
Steed
Stephens
Thomas
Thompson, Tex
Toll
Van Deerlin
Waggonner
Whitten
Wilson, Charles H.
Wolff
Wright

So the motion was agreed to.

Mr. SENNER and Mr. McDADE changed their votes from "nay" to "yea."

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

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will proceed with the reading of the Journal.

The Clerk resumed the reading of the Journal.

Mr. SMITH of Virginia (interrupting the reading of the Journal). Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 274]

Andrews, George W.
Andrews, Glenn
Ashbrook
Ayres
Baring
Bolton
Bonner
Cameron
Casey
Cederberg
Clausen, Don H.
Conyers
Craley
Culver
Daddario
Denton
Dickinson
Farnsley
Farnum
Fisher
Flood
Foley
Fraser
Frelinghuysen
Giaimo
Grabowski
Griffin
Griffiths
Harris
Harvey, Mich.
Hébert
Helstoski
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Leggett
Lindsay
McClory
McMillan
McVicker
Mackie
Mailliard
Martin, Ala.
May
Mills
Murphy, N.Y.
O'Hara, Mich.
Pucinski
Purcell
Reifel
Rivers, Alaska
Rivers, S.C.
Roosevelt
Roush
Ryan
St Germain
Shipley
Steed
Stephens
Talcott
Thomas
Thompson, Tex.
Toll
Wilson, Charles H.
Wolff
Wright

The SPEAKER. On this rollcall, 363 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. SMITH of Virginia. Mr. Speaker, I object.

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

Mr. SMITH of Virginia. Mr. Speaker, I move to lay that motion on the table.

The SPEAKER. That motion is not in order.

The question is on the motion offered by the gentleman from Oklahoma.

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

Mr. SMITH of Virginia. 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. The gentleman from Virginia [Mr. SMITH] objects to the vote on the ground that a quorum is not present and makes the point of order that a quorum is not present. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 244, nays 127, not voting 61, as follows:

[Roll No. 275]

YEAS—244

Abernethy
Adams
Albert
Annunzio
Ashley
Aspinall
Ayres
Baldwin
Bandstra
Barrett
Beckworth
Bell
Bennett
Bingham
Blatnik
Boland
Bolling
Brademas
Brooks
Broomfield
Brown, Calif.
Buchanan
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Clark
Clevenger
Cohelan
Colmer
Conte
Cooley
Corbett
Corman
Craley
Cunningham
Daniels
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Fino
Flood
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Gubser
Hagen, Calif.
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harsha
Hathaway
Hawkins
Hays
Hechler
Hicks
Holifield
Holland
Horton
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jennings
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Landrum
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Martin, Mass.
Mathias
Matsunaga
Meeds
Miller
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Moss
Multer
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Powell
Price
Pucinski
Quie
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Sickles
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Weltner
White, Idaho
White, Tex.
Whitten
Widnall
Willis
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—127

Abbitt
Adair
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Bates
Battin
Belcher
Berry
Betts
Bow
Bray
Brock
Broyhill, N.C.
Broyhill, Va.
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conable
Cramer
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Derwinski
Devine
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Everett
Findley
Fisher
Flynt
Fountain
Fulton, Pa.
Fuqua
Gathings
Gettys
Gross
Grover
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Henderson
Herlong
Hosmer
Hutchinson
Jarman
Johnson, Pa.
Jonas
Keith

King, N.Y.	Nelsen	Smith, Va.
Laird	O'Neal, Ga.	Springer
Langen	Passman	Stanton
Latta	Poage	Talcott
Lennon	Poff	Teague, Calif.
Lipscomb	Pool	Thomson, Wis.
Long, La.	Quillen	Tuck
McCulloch	Reid, Ill.	Tuten
McEwen	Reinecke	Utt
McMillan	Rhodes, Ariz.	Waggonner
MacGregor	Roudebush	Walker, Miss.
Marsh	Satterfield	Watkins
Martin, Nebr.	Schneebeli	Watson
Matthews	Scott	Whalley
Michel	Selden	Whitener
Minshall	Shriver	Williams
Mize	Sikes	Wilson, Bob
Moore	Skubitz	Younger
Morton	Smith, Calif.	
Murray	Smith, N.Y.	

NOT VOTING—61

Addabbo	Farnum	May
Anderson, Tenn.	Feighan	Mills
	Fogarty	Murphy, Ill.
Andrews, George W.	Ford, Gerald R.	Murphy, N.Y.
	Griffin	O'Brien
Ashbrook	Griffiths	Purcell
Baring	Halpern	Reifel
Boggs	Harris	Rivers, S.C.
Bolton	Harvey, Ind.	Rogers, Tex.
Bonner	Harvey, Mich.	Ryan
Cameron	Hébert	St. Onge
Carey	Helstoski	Shipley
Casey	Johnson, Okla.	Steed
Cederberg	Jones, Mo.	Thomas
Celler	Kelly	Thompson, Tex.
Conyers	Keogh	Toll
Culver	Leggett	Wilson, Charles H.
Daddario	Lindsay	
Denton	McClory	Wolff
Dickinson	McVicker	Wright
Ellsworth	Mailliard	
Farnsley	Martin, Ala.	

So the motion was agreed to.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore (Mr. ALBERT). The Clerk will continue to read the Journal.

The Clerk continued to read.

Mr. HALL (interrupting reading). Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. Mr. Speaker, the Clerk is now reading rollcall No. 271 which appears at page 23381. Was rollcall No. 270 read in the Journal for today?

The SPEAKER pro tempore. The Chair will state to the gentleman from Missouri that the Clerk has gone beyond that point. The Clerk will continue to read.

Mr. HALL. Mr. Speaker, that was not the parliamentary inquiry. Did the reading in full of the Journal as demanded by the Member today include rollcall 270, similar to the way it is being read now on rollcall 271?

The SPEAKER pro tempore. The Chair will state to the gentleman from Missouri that that part of the Journal had been passed before the demand had been made for the reading of the Journal in full. The question is moot.

Mr. HALL. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. That being the case, is this the Journal of the House of Representatives for September 9, 1965, as entrusted to the Clerk of the House of Representatives by article I, section 5, of the Constitution, and rule 3(641)(3) according to Jefferson's Manual?

The SPEAKER pro tempore. It is the Journal for the last day's session.

Mr. HALL. Mr. Speaker, I renew my demand that it be read in full.

The SPEAKER pro tempore. The Clerk will continue reading the Journal.

The Clerk continued to read.

Mr. GROSS (interrupting reading of the Journal). Mr. Speaker, I submit that the Clerk is not reading in full the names of those who failed to answer on rollcall No. 271.

The SPEAKER pro tempore. The Clerk took up exactly where he left off.

The Clerk continued the reading of the Journal.

Mr. SMITH of California (interrupting the reading of the Journal). Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and eighty-seven Members are present, not a quorum.

Mr. MOSS. 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. 276]

Andrews, George W.	Griffin	Mills
	Griffiths	Mosher
Ashbrook	Hansen, Idaho	Murphy, N.Y.
Baring	Harris	Purcell
Blatnik	Harvey, Ind.	Reifel
Bolton	Harvey, Mich.	Rivers, S.C.
Bonner	Hébert	Roberts
Cameron	Helstoski	Ryan
Casey	Johnson, Okla.	St Germain
Cederberg	Jones, Mo.	Shipley
Conyers	Kelly	Thomas
Culver	Keogh	Thompson, Tex.
Daddario	Lindsay	Toll
Denton	McClory	Widnall
Dickinson	McVicker	Willis
Evans, Colo.	Macdonald	Wilson, Charles H.
Farnsley	Martin, Ala.	
Farnum	May	Wolff
Fraser	Miller	Wright

The SPEAKER. On this rollcall 380 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. SMITH of California. Mr. Speaker, I object to further proceedings under the call being dispensed with.

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

Mr. SMITH of California. Mr. Speaker, I move that that motion be laid on the table.

The SPEAKER. That motion is not in order.

The question is on the motion of the gentleman from Oklahoma.

The question was taken; and the Speaker announced that the ayes had it.

Mr. SMITH of California. 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. The Chair will count. [After counting.] Two hundred and thirty-one Members are present, a quorum.

The Clerk will continue to read the Journal.

The Clerk continued the reading of the Journal.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Inasmuch as the Clerk is now reading from the proceedings at page 22386, would it be in order to move to amend the Journal now or after completion of the reading of the Journal?

The SPEAKER. In response to the parliamentary inquiry of the gentleman from Missouri, any effort of the gentleman or of any other Member to amend the Journal would have to be at the conclusion of the reading of the Journal.

The Clerk will continue to read.

The Clerk continued the reading of the Journal.

Mr. HALL (interrupting reading). Mr. Speaker, I rise to again demand that the Journal be read in full. We have just skipped all of section 522(a) and gone directly from page 5 to the end of page 6 in the Journal.

The SPEAKER. The Chair will advise the gentleman from Missouri that the Clerk is reading the Journal in accordance with its preparation.

The Clerk will proceed.

The Clerk continued the reading of the Journal.

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

The SPEAKER. Evidently, a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 277]

Adair	Farnum	Martin, Ala.
Andrews, George W.	Fogarty	May
	Foley	Mills
Ashbrook	Griffin	Murphy, N.Y.
Baring	Griffiths	Reifel
Blatnik	Harvey, Ind.	Rivers, Alaska
Bolton	Harvey, Mich.	Rivers, S.C.
Bonner	Hébert	Ryan
Cameron	Helstoski	St Germain
Casey	Johnson, Okla.	Steed
Cederberg	Jones, Mo.	Thomas
Conyers	Kelly	Thompson, Tex.
Culver	Keogh	Toll
Daddario	Kirwan	Wilson, Charles H.
Dickinson	Landrum	
Dingell	Lindsay	Wolff
Evans, Colo.	McClory	Wright
Farnsley	McVicker	

The SPEAKER. On this rollcall 375 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. HALL. Mr. Speaker, I object.

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Clerk will continue the reading of the Journal.

The Clerk continued the reading of the Journal.

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

The SPEAKER. The Chair will count. [After counting.] Two hundred and twenty-three Members are present, a quorum.

The Clerk will continue the reading of the Journal.

The Clerk continued the reading of the Journal.

Mr. SIKES. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Florida rise?

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

The SPEAKER. The Chair will count. [After counting.] Two hundred and thirty-one Members are present, a quorum.

The Clerk will read.

The Clerk continued the reading of the Journal.

Mr. McMILLAN (interrupting reading of the Journal). Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 278]

Andrews, George W.	Griffin	Mills
Ashbrook	Griffiths	Reifel
Baring	Harvey, Ind.	Rivers, S.C.
Blatnik	Harvey, Mich.	Roberts
Bolton	Hébert	Ryan
Bonner	Helstoski	Smith, N.Y.
Cameron	Johnson, Okla.	Steed
Casey	Jones, Mo.	Thomas
Conyers	Kelly	Thompson, Tex.
Culver	Keogh	Toll
Daddario	Landrum	Wilson, Charles H.
Dickinson	Lindsay	Wolff
Farnsley	McClory	Wright
Farnum	McVicker	
Goodell	Martin, Ala.	
	May	

The SPEAKER. On this rollcall 387 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. HALL. Mr. Speaker, I object.

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The question is on the motion of the gentleman from Oklahoma.

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

Mr. HALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—ayes 256, nays 124, not voting 52, as follows:

[Roll No. 279]

YEAS—256

Abernethy	Brademas	Daniels
Adams	Brooks	Dawson
Addabbo	Broomfield	de la Garza
Albert	Brown, Calif.	Delaney
Anderson, Tenn.	Broyhill, N.C.	Dent
Andrews, N. Dak.	Burke	Denton
Annunzio	Burleson	Diggs
Ashley	Burton, Calif.	Dingell
Aspinall	Burton, Utah	Donohue
Ayres	Byrne, Pa.	Dow
Baldwin	Cabell	Dulski
Bandstra	Cahill	Duncan, Oreg.
Barrett	Callan	Dwyer
Bates	Clark	Dyal
Beckworth	Clevenger	Edmondson
Bell	Cohelan	Edwards, Calif.
Bennett	Conable	Ellsworth
Bingham	Conte	Evans, Colo.
Boggs	Cooley	Fallon
Boland	Corbett	Farbstein
Bolling	Corman	Fascell
	Craley	Feighan
	Cunningham	Fino
Fisher	Love	Roberts
Flood	McCarthy	Robison
Foley	McDade	Rodino
Ford, William D.	McDowell	Rogers, Colo.
Fraser	McFall	Rogers, Fla.
Frelinghuysen	McGrath	Ronan
Friedel	Macdonald	Roncalio
Fulton, Pa.	Machen	Rooney, N.Y.
Fulton, Tenn.	Mackay	Rooney, Pa.
Garmatz	Madden	Rosenthal
Giaimo	Mahon	Rostenkowski
Gibbons	Martin, Mass.	Roush
Gilbert	Mathias	Roybal
Gilligan	Matsunaga	Rumsfeld
Gonzalez	Meeds	St Germain
Grabowski	Michel	Saylor
Gray	Miller	Scheuer
Green, Oreg.	Minish	Schisler
Green, Pa.	Mink	Schmidhauser
Greigg	Moeller	Schweiker
Grider	Monagan	Secrest
Gubser	Moorhead	Senner
Hagen, Calif.	Morgan	Shipley
Halpern	Morris	Shriver
Hamilton	Morrison	Sickles
Hanley	Morse	Sisk
Hanna	Morton	Slack
Hansen, Iowa	Mosher	Smith, Iowa
Hansen, Wash.	Moss	Stafford
Hardy	Multer	Staggers
Harris	Murphy, Ill.	Stalbaum
Harsha	Murphy, N.Y.	Stratton
Hathaway	Natcher	Stubblefield
Hawkins	Nedzi	Sullivan
Hays	Nix	Sweeney
Hechler	O'Brien	Taylor
Hicks	O'Hara, Ill.	Teague, Tex.
Holifield	O'Hara, Mich.	Tenzer
Holland	O'Konski	Thompson, N.J.
Horton	Olson, Minn.	Todd
Hosmer	O'Neill, Mass.	Trimble
Howard	Ottinger	Tunney
Hull	Patman	Tupper
Hungate	Patten	Udall
Huot	Pelly	Ullman
Ichord	Pepper	Van Deerlin
Irwin	Perkins	Vanik
Jacobs	Philbin	Vigorito
Jennings	Pickle	Vivian
Joelson	Pike	Walker, N. Mex.
Johnson, Calif.	Pirnie	Watts
Jones, Ala.	Powell	Weltner
Karsten	Price	White, Idaho
Karth	Pucinski	White, Tex.
Kastenmeier	Purcell	Whitten
Kee	Quie	Widnall
King, Calif.	Race	Wilson, Bob
King, Utah	Randall	Wyatt
Kornegay	Redlin	Wydler
Krebs	Reid, N.Y.	Yates
Kunkel	Resnick	Young
Leggett	Reuss	Zablocki
Long, Md.	Rhodes, Pa.	
	Rivers, Alaska	

NAYS—124

Abbitt	Downing	MacGregor
Adair	Duncan, Tenn.	Mackie
Anderson, Ill.	Edwards, Ala.	Mailliard
Andrews, Glenn	Erlenborn	Marsh
Arends	Everett	Martin, Nebr.
Ashmore	Evins, Tenn.	Matthews
Battin	Findley	Minshall
Belcher	Flynt	Mize
Berry	Ford, Gerald R.	Moore
Bow	Fountain	Murray
Bray	Fuqua	Nelsen
Brock	Gathings	O'Neal, Ga.
Broyhill, Va.	Gettys	Passman
Buchanan	Goodell	Poage
Byrnes, Wis.	Gross	Poff
Callaway	Grover	Pool
Carter	Gurney	Quillen
Cederberg	Hagan, Ga.	Reid, Ill.
Chamberlain	Haley	Reinecke
Chelf	Hall	Rhodes, Ariz.
Clancy	Halleck	Rogers, Tex.
Clausen, Don H.	Hansen, Idaho	Roudebush
Clawson, Del	Henderson	Satterfield
Cleveland	Herlong	Schneebeli
Collier	Hutchinson	Scott
Colmer	Jarman	Selden
Cramer	Johnson, Pa.	Sikes
Curtin	Jonas	Skubitz
Curtis	Keith	Smith, Calif.
Dague	King, N.Y.	Smith, N.Y.
Davis, Ga.	Laird	Smith, Va.
Davis, Wis.	Langen	Springer
Derwinski	Latta	Stanton
Devine	Lennon	Stephens
Dole	Lipscomb	Talcott
Dorn	Long, La.	Teague, Calif.
Dowdy	McCulloch	Thomson, Wis.
	McEwen	Tuck
	McMillan	Tuten
Utt	Watkins	Whitener
Waggonner	Watson	Williams
Walker, Miss.	Whalley	Younger

NOT VOTING—52

Andrews, George W.	Fogarty	Martin, Ala.
Ashbrook	Gallagher	May
Baring	Griffin	Mills
Betts	Griffiths	Olsen, Mont.
Blatnik	Harvey, Ind.	Reifel
Bolton	Harvey, Mich.	Rivers, S.C.
Bonner	Hébert	Roosevelt
Cameron	Helstoski	Ryan
Carey	Johnson, Okla.	St. Onge
Casey	Jones, Mo.	Steed
Celler	Kelly	Thomas
Conyers	Keogh	Thompson, Tex.
Culver	Kirwan	Toll
Daddario	Kluczynski	Willis
Dickinson	Landrum	Wilson, Charles H.
Farnsley	Lindsay	Wolff
Farnum	McClory	Wright
	McVicker	

So the motion was agreed to.

The result of the vote was announced as above recorded.

Mr. CALLAWAY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CALLAWAY. On this vote were Members required to qualify?

The SPEAKER. It was a yea-and-nay vote.

Mr. CALLAWAY. Were they required to qualify?

The SPEAKER. On a yea-and-nay vote, yes.

Mr. CALLAWAY. Did Members so qualify?

The SPEAKER. The Chair understood that was so. The Chair assumes the occupant of the chair advised Members that they had to qualify.

The Clerk will continue to read.

The Clerk continued the reading of the Journal.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Will the reading of the Journal in full be concluded prior to the reading of the special orders and the referral of bills and rules submitted on the 9th of September?

The SPEAKER. The Journal is being read in accordance with the practices and customs of the House of Representatives.

The Clerk will read.

The Clerk continued the reading of the Journal.

CALL OF THE HOUSE

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

The SPEAKER. The Chair will count. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 280]

Andrews, George W.	Daddario	Kelly
Ashbrook	Dickinson	Keogh
Baring	Farnsley	Kirwan
Bolton	Farnum	Lindsay
Bonner	Fisher	McClory
Brock	Griffin	McMillan
Cameron	Griffiths	McVicker
Casey	Harvey, Ind.	Mackay
Celler	Harvey, Mich.	Martin, Ala.
Conyers	Hébert	May
Craley	Helstoski	Mills
Culver	Johnson, Okla.	Moorhead
	Jones, Mo.	Moss

Reifel	Steed	Weltner
Rivers, S.C.	Thomas	Wilson,
Roosevelt	Thompson, Tex.	Charles H.
Ryan	Toll	Wolff
St. Onge	Ullman	Wright

The SPEAKER. On this rollcall 377 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. HALL. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The question is on the motion of the gentleman from Oklahoma.

Mr. LAIRD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 255, nays 121, answered "present" 1, not voting 55, as follows:

[Roll No. 281]

YEAS—255

Adams	Fallon	Long, Md.
Addabbo	Farbstein	Love
Albert	Fascell	McCarthy
Anderson,	Feighan	McDade
Tenn.	Fino	McDowell
Andrews,	Fisher	McFall
N. Dak.	Flood	McGrath
Annunzio	Foley	Macdonald
Ashley	Ford,	Machen
Aspinall	William D.	Mackie
Ayres	Fraser	Madden
Baldwin	Frelinghuysen	Mahon
Bandstra	Friedel	Mailliard
Barrett	Fulton, Pa.	Martin, Mass.
Bates	Fulton, Tenn.	Mathias
Beckworth	Garmatz	Matsunaga
Bell	Giaimo	Meeds
Bennett	Gibbons	Michel
Bingham	Gilbert	Miller
Blatnik	Gilligan	Minish
Boggs	Gonzalez	Mink
Boland	Grabowski	Moeller
Bolling	Gray	Monagan
Brademas	Green, Oreg.	Moore
Brock	Green, Pa.	Moorhead
Brooks	Greigg	Morgan
Broomfield	Grider	Morris
Brown, Calif.	Hagen, Calif.	Morse
Broyhill, N.C.	Halpern	Morton
Burke	Hamilton	Mosher
Burleson	Hanley	Multer
Burton, Calif.	Hanna	Murphy, Ill.
Byrne, Pa.	Hansen, Iowa	Murphy, N.Y.
Cabell	Hansen, Wash.	Nedzi
Cahill	Harris	Nix
Callan	Harsha	O'Brien
Carey	Hathaway	O'Hara, Ill.
Clark	Hawkins	O'Hara, Mich.
Clevenger	Hays	O'Konski
Cohelan	Hechler	Olsen, Mont.
Colmer	Herlong	Olson, Minn.
Conable	Hicks	O'Neill, Mass.
Conte	Holifield	Ottinger
Cooley	Holland	Patman
Corbett	Horton	Patten
Corman	Hosmer	Pelly
Craley	Howard	Pepper
Cunningham	Hull	Perkins
Daniels	Hungate	Philbin
Dawson	Huot	Pickle
de la Garza	Irwin	Pike
Delaney	Jacobs	Pirnie
Dent	Jarman	Powell
Denton	Joelson	Price
Diggs	Johnson, Calif.	Pucinski
Dingell	Jones, Ala.	Quie
Donohue	Karsten	Race
Dow	Karth	Randall
Dulski	Kastenmeier	Redlin
Duncan, Oreg.	Kee	Reid, N.Y.
Dwyer	King, Calif.	Resnick
Dyal	King, Utah	Reuss
Edmondson	Kluczynski	Rhodes, Pa.
Edwards, Calif.	Krebs	Rivers, Alaska
Ellsworth	Kunkel	Roberts
Erlenborn	Laird	Robison
Evans, Colo.	Landrum	Rodino
Evins, Tenn.	Leggett	Rogers, Colo.
Rogers, Fla.	Shipley	Tunney
Ronan	Shriver	Tupper
Roncalio	Sickles	Udall
Rooney, N.Y.	Sisk	Ullman
Rooney, Pa.	Slack	Van Deerlin
Rosenthal	Smith, Iowa	Vanik
Rostenkowski	Stafford	Vigorito
Roush	Staggers	Vivian
Roybal	Stalbaum	Walker, N. Mex.
Rumsfeld	Stratton	White, Idaho
St Germain	Stubblefield	White, Tex.
Saylor	Sullivan	Whitten
Scheuer	Sweeney	Widnall
Schisler	Taylor	Wyatt
Schmidhauser	Tenzer	Wydler
Schweiker	Thompson, N.J.	Yates
Scott	Todd	Young
Senner	Trimble	Zablocki

NAYS—121

Abbitt	Edwards, Ala.	Natcher
Abernethy	Everett	Nelsen
Adair	Findley	O'Neal, Ga.
Anderson, Ill.	Flynt	Passman
Andrews,	Ford, Gerald R.	Poage
Glenn	Fountain	Poff
Arends	Fuqua	Pool
Ashmore	Gathings	Quillen
Battin	Gettys	Reid, Ill.
Belcher	Goodell	Reifel
Berry	Gross	Reinecke
Betts	Grover	Rhodes, Ariz.
Bow	Gubser	Rogers, Tex.
Bray	Gurney	Roudebush
Broyhill, Va.	Hagan, Ga.	Satterfield
Buchanan	Haley	Schneebeli
Burton, Utah	Hall	Secrest
Byrnes, Wis.	Halleck	Selden
Callaway	Hansen, Idaho	Sikes
Carter	Hardy	Skubitz
Cederberg	Henderson	Smith, Calif.
Chamberlain	Hutchinson	Smith, N.Y.
Chelf	Ichord	Smith, Va.
Clancy	Jennings	Springer
Clausen,	Johnson, Pa.	Stanton
Don H.	Keith	Stephens
Clawson, Del	King, N.Y.	Talcott
Cleveland	Kornegay	Teague, Calif.
Collier	Langen	Thomson, Wis.
Cramer	Latta	Tuck
Curtin	Lennon	Tuten
Curtis	Lipscomb	Utt
Dague	Long, La.	Waggonner
Davis, Ga.	McCulloch	Walker, Miss.
Davis, Wis.	McMillan	Watkins
Devine	MacGregor	Watts
Dole	Marsh	Whalley
Dorn	Matthews	Whitener
Dowdy	Minshall	Williams
Downing	Mize	Wilson, Bob
Duncan, Tenn.	Murray	Younger

ANSWERED "PRESENT"—1

Derwinski

NOT VOTING—55

Andrews,	Harvey, Ind.	Morrison
George W.	Harvey, Mich.	Moss
Ashbrook	Hébert	Purcell
Baring	Helstoski	Rivers, S.C.
Bolton	Johnson, Okla.	Roosevelt
Bonner	Jonas	Ryan
Cameron	Jones, Mo.	St. Onge
Casey	Kelly	Steed
Celler	Keogh	Teague, Tex.
Conyers	Kirwan	Thomas
Culver	Lindsay	Thompson, Tex.
Daddario	McClory	Toll
Dickinson	McEwen	Watson
Farnsley	McVicker	Weltner
Farnum	Mackay	Willis
Fogarty	Martin, Ala.	Wilson,
Gallagher	Martin, Nebr.	Charles H.
Griffin	May	Wolff
Griffiths	Mills	Wright

The Clerk announced the following pair:

On this vote:

Mr. Daddario for, with Mr. Derwinski against.

So the motion was agreed to.

Mr. DERWINSKI. Mr. Speaker, I have a live pair with the gentleman from Connecticut [Mr. DADDARIO]. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will resume the reading of the Journal.

The Clerk continued the reading of the Journal.

Mr. HALL (interrupting the reading). Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Mr. Speaker, does not the Journal for September 9 include any part of the special orders including, on page 23253 of the CONGRESSIONAL RECORD, the remarks by my colleague from Missouri on "The Human Investment Act of 1965: A New Approach to Meeting the Challenge of Unemployment"?

The SPEAKER. The Chair will state that the reading of the Journal does not include special orders, because the same is not business.

The Clerk will continue the reading of the Journal.

The Clerk concluded the reading of the Journal.

Mr. ALBERT. Mr. Speaker, I move that the Journal be approved as read; and on that I move the previous question.

Mr. HALL. Mr. Speaker, I move that that motion be laid on the table; and I offer an amendment to the Journal.

The SPEAKER. The Chair will state that the motion to lay on the table is in order, but the amendment is not in order.

What is the motion of the gentleman from Missouri?

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Mr. Speaker, during the reading of the Journal, section by section, I asked at what time it might be amended; and if I understood the distinguished Speaker correctly he said that if such an amendment were submitted by the gentleman from Missouri or any other person at any time it would be in order at the end of the reading of the Journal.

The SPEAKER. The gentleman from Missouri has a correct recollection of what the Chair said at that time. However, the gentleman from Oklahoma [Mr. ALBERT] has made a motion that the Journal as read be approved and upon that he has moved the previous question.

Mr. HALL. Then, Mr. Speaker, I move to table that motion.

The SPEAKER. The question is on the motion to lay on the table the motion that the Journal be approved as read.

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

Mr. HALL. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The Chair will count. [After counting.] The Chair will state that 55 Members have arisen. The Chair will count the House.

[After counting.] The Chair will state that evidently a sufficient number has arisen.

The yeas and nays were ordered.

The question was taken; and there were—yeas 138, nays 244, not voting 50, as follows:

[Roll No. 282]

YEAS—138

Abbitt
Adair
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Ayres
Bates
Battin
Belcher
Berry
Betts
Bow
Brock
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Cederberg
Chamberlain
Cheif
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Corbett
Cramer
Curtis
Dague
Davis, Ga.
Davis, Wis.
Derwinski
Devine
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Everett
Findley
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Henderson
Herlong
Hosmer
Hull
Hutchinson
Ichord
Jennings
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kornegay
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Marsh
Martin, Nebr.
Matthews
Michel
Minshall
Mize
Moore
Morton
Natcher
Nelsen
O'Neal, Ga.
Passman
Poff
Pool
Quie
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Roudebush
Satterfield
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stanton
Stephens
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Whitener
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NAYS—244

Abernethy
Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Baldwin
Bandstra
Barrett
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Carey
Clark
Clevenger
Cohelan
Conte
Cooley
Corman
Craley
Cunningham
Curtin
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fino
Fisher
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Harsha
Hathaway
Hawkins
Hays
Hechler
Hicks
Holifield
Holland
Horton
Howard
Hungate
Huot
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kluczynski
Krebs
Kunkel
Landrum
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
Macdonald
Machen
Mackie
Madden
Mahon
Mailliard
Martin, Mass.
Mathias
Matsunaga
Meeds
Miller
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Powell
Price
Pucinski
Purcell
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stratton
Stubblefield
Sullivan
Sweeney
Teague, Tex.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Whalley
White, Idaho
White, Tex.
Whitten
Wolff
Yates
Zablocki

NOT VOTING—50

Andrews, George W.
Ashbrook
Baring
Bolton
Bonner
Bray
Cameron
Casey
Celler
Conyers
Culver
Daddario
Dickinson
Ellsworth
Farnsley
Farnum
Fogarty
Griffin
Griffiths
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Johnson, Okla.
Jones, Ala.
Jones, Mo.
Kelly
Keogh
Kirwan
Lindsay
McClory
McVicker
Mackay
Martin, Ala.
May
Mills
Moss
Rivers, S.C.
Ryan
St. Onge
Steed
Thomas
Thompson, Tex.
Toll
Weltner
Willis
Wilson, Charles H.
Wright
Young

So the motion was rejected.

Messrs. NATCHER and MORTON changed their votes from "nay" to "yea."

Messrs. CLARK and CONTE changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on ordering the previous question.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Is not debate in order on this motion inasmuch as under section 805 of Jefferson's Manual there has been no debate on ordering the previous question?

The SPEAKER. The Chair will state that the motion on the previous question is not debatable. The question is on ordering the previous question on the motion to approve the Journal.

The question was taken; and the Speaker announced that the "ayes" had it.

Mr. HALL. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 257, nays 126, answered "present" 1, not voting 48, as follows:

[Roll No. 283]

YEAS—257

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Aspinall
Baldwin
Bandstra
Barrett
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Carey
Cheif
Clark
Cleveland
Clevenger
Cohelan
Conte
Cooley
Corbett
Corman
Craley
Cunningham
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Erlenborn
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fino
Flood
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Grover
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Harsha
Hathaway
Hawkins
Hays
Hechler
Herlong
Hicks
Holifield
Holland
Horton
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Landrum
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Martin, Mass.
Mathias
Matsunaga
Meeds
Michel
Miller
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stratton
Stubblefield
Sullivan
Sweeney
Teague, Tex.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
White, Idaho
White, Tex.
Widnall
Willis
Wolff
Wyatt
Yates
Young
Zablocki

NAYS—126

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Ayres
Bates
Battin
Belcher
Berry
Betts
Bow
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Cederberg
Clancy
Clausen, Don H.
Clawson, Del
Collier
Conable
Cramer
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Devine
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Everett
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Fuqua
Gathings
Gettys
Goodell
Gross

Gubser	Marsh	Skubitz
Gurney	Martin, Nebr.	Smith, Calif.
Hagan, Ga.	Matthews	Smith, N.Y.
Haley	Minshall	Smith, Va.
Hall	Mize	Springer
Halleck	Moore	Stanton
Hansen, Idaho	Morton	Stephens
Henderson	Nelsen	Talcott
Hosmer	O'Neal, Ga.	Taylor
Hutchinson	Passman	Teague, Calif.
Johnson, Pa.	Poff	Thomson, Wis.
Jonas	Pool	Tuck
Keith	Quillen	Tuten
King, N.Y.	Reid, Ill.	Utt
Kornegay	Reifel	Waggonner
Laird	Reinecke	Walker, Miss.
Langen	Rhodes, Ariz.	Watkins
Latta	Roudebush	Watson
Lennon	Rumsfeld	Whalley
Lipscomb	Satterfield	Whitener
Long, La.	Schneebeli	Whitten
McCulloch	Scott	Williams
McEwen	Selden	Wilson, Bob
McMillan	Shriver	Wydler
MacGregor	Sikes	Younger

ANSWERED "PRESENT"—1

Derwinski

NOT VOTING—48

Andrews, George W.	Ellsworth	Martin, Ala.
Ashbrook	Farnsley	May
Ashley	Farnum	Mills
Baring	Fogarty	Moss
Bolton	Griffin	Rivers, Alaska
Bonner	Griffiths	Rivers, S.C.
Bray	Hardy	Ryan
Cameron	Harvey, Ind.	St. Onge
Casey	Harvey, Mich.	Steed
Celler	Hébert	Thomas
Chamberlain	Helstoski	Thompson, Tex.
Colmer	Johnson, Okla.	Toll
Conyers	Jones, Mo.	Weltner
Culver	Kelly	Wilson, Charles H.
Daddario	Keogh	Wright
Dickinson	Lindsay	
	McClory	

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Daddario for, with Mr. Derwinski against.

Mr. CURTIS and Mr. COLLIER changed their votes from "yea" to "nay."

Mr. DERWINSKI. Mr. Speaker, I have a live pair with the gentleman from Connecticut [Mr. DADDARIO]. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on approving the Journal, as read.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. May we not have debate at this time, under the rules of the House, under section 805, as quoted?

The SPEAKER. If a Member claims the right.

Mr. HALL. I make such a claim, Mr. Speaker.

The SPEAKER. The gentleman is recognized for 20 minutes.

Mr. HALL. Mr. Speaker, I appreciate the indulgence of the House. I believe it is of great interest to show what the rules of procedure of this great deliberative body have done in the way of protection of individuals and certainly of minority groups down through the ages, as revised in each Congress by the Parliamentarian and the distinguished Speakers, severally, of our House of Representatives.

I do not believe that anyone here today believes for a minute that anyone is interested in preventing any of these resolutions—seven of which have been listed today—from coming before this body for determination of a rule under which we will consider other bills in the future. Rather, Mr. Speaker, as we said and made clear in the RECORD a while back, when 14(b) of the Taft-Hartley Act and the education and labor bill were called up under the 21-day rule—which is now a standing rule of this body—the question is whether we will by precedent, custom, and tradition use this technique of bringing matters before us, here in the House for true debate, rather than bringing them through the Rules Committee which, we understand, in the past two Congresses has been expanded for purposes of better control and greater efficiency on the part of the "leadership" of the House, better organization, and better scheduling.

Indeed, if we are to pass seven resolutions with no time to be granted to the minority, it is a sorry day for those rules that we have honored since the time of Jefferson.

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

Mr. HALL. I yield to the gentleman from Indiana, the distinguished former minority leader.

Mr. HALLECK. I am glad the gentleman put that word "former" in.

Mr. Speaker, I served on the Rules Committee for a long time. I valued my service there.

I understand that through the years the Rules Committee has been under constant attack from some sources for being a recalcitrant body which allegedly has been interested only in preventing the House of Representatives from working its will. My experience with the Rules Committee was never of that order.

We had a 21-day rule once before, and the House of Representatives in its wisdom saw fit to get rid of that rule. But we have got it again. So today we have been operating under the 21-day rule.

As I understand it, Mr. Speaker, the 21-day rule was to circumvent this allegedly recalcitrant Rules Committee, to bring to the floor measures which the House really wanted to vote on.

When the 21-day rule was adopted, Mr. Speaker, I do not believe it was ever expected—I say this with the understanding I am sure you have of me, of my respect for you as the Speaker, as a man, as a person and as a friend—I do not believe the rule was ever devised to bring about the mass presentation of seven 21-day rule operations on 1 day. If we took the time to debate them, under the hour, and to vote, we would be here until midnight.

We may well be here until midnight anyway. That is all right with me, I say to my friends.

Now, having said as much, let me say, Mr. Speaker, that I understand it is now proposed to call as the first matter under the 21-day operation today the so-called FEPC proposal. I have been importuned, Mr. Speaker, to say something about some of the things that transpired in connection with the 1964 Civil Rights Act. Some of these matters I shall talk about, Mr. Speaker. You were there and heard them, but a lot of people who have served in the White House since that time have been writing what they think they know, so maybe at this time, perhaps, I could with propriety say something, may I say to my friend from Missouri, about what I know.

First of all, for the Committee on Rules and my service on it and for the recent years when I have not served on it, the Republican record on civil rights, may I say to my friend from New York, has been a good one, as has been the Republican record when we delivered a bigger percentage of our people for civil rights bills than was given on the other side of the aisle. Now, that is not to say that we are right or wrong in that. In whatever I say here, Mr. Speaker, I am not passing judgment on the merits of this particular measure, which I understand is to be called. In the first place the Committee on Rules has not been recalcitrant, because on these first bills that have been scheduled the lag has been only one, or at most a few days from the time that the rule was requested until the discharge petition was filed. I think I can say now for the five Republican members of the Committee on Rules that if they had heard the evidence, they would be willing to report a rule on any reasonable civil rights bill, just as they have in the past, without resort to this kind of procedure.

To go back to the 1964 civil rights bill, just so that we may know the facts, some of you may recall a bill was being reported by certain members of the subcommittee and the committee that went way beyond what the Kennedy administration wanted. On our side we were being importuned by the President of the United States, Mr. Kennedy, by the then Attorney General, and by the Assistant Attorney General, who is now the Attorney General of the United States, to assist in writing a bill that could become law. I was asked about the inclusion of an FEPC amendment. I expressed my concern about cluttering up the bill we had before us with that sort of an addition. It was not in the administration's proposal when it came forward. But I think if President Kennedy said to me once, may I say to my good friend from Missouri [Mr. HALL], he said to me two or three times, "Charlie, this is the Republican FEPC bill." It has been introduced and drafted by certain members of the Committee on Education and Labor. Finally we put it in the bill. I may add—and I know it is a discomfiture to some of my friends on the Democratic side of the aisle—we were trying to write good legislation. We had an arrangement for the enforcement of the FEPC which required enforcement in the courts and not by a board. When that was agreed upon we turned in and the Committee on Rules voted out the rule and we supported the bill. I supported the bill.

What do we find today? You talk about good legislative practice. I under-

stand that some people in the administration were not anxious to have this come up now. If I am wrong about that, the gentleman from New York can correct me, because he is the expert in these matters and I am not.

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

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

Mr. POWELL. May I say to my beloved friend from Indiana there has been no arm twisting on this piece of legislation from down Pennsylvania Avenue. In fact, all of those Republicans on the Committee on Education and Labor on a rollcall vote voted for this except one.

Mr. HALLECK. I do not know what that proves, may I say to my friend from New York. In any event, if that happened, that is a really good arrangement. It is further evidence that the Republicans are not remiss when it comes to consideration of civil rights bills.

Mr. HALL. Mr. Speaker, if the gentleman from Indiana will permit me to interpolate, the fact is, as I stated at the beginning of this debate which has finally been allowed under this procedure today, that there is no objection to any of these bills; it is the procedure that is being objected to. Why throw a wet sock in the face of the Rules Committee just because we have this rule, when under normal procedure, rules would have been granted and when there was no delay on any one of them?

Mr. HALLECK. I may say to the gentleman that it has to do with the apparent haste that is present here. Now, Mr. Speaker, in order that I may conclude—and I do not want to lose interest here, because if I get to doing that, I shall quit—may I say to the gentleman from New York, the ink is hardly dry on the 1964 act. It came into effect on July 1, 1965. That is what—a month and a half ago—am I correct? You know that is correct.

There are regulations that need to be written by the agency. They have not even been written yet.

May I say to the Members that it is all right to resort to the 21-day rule. You have got it. But I did not vote for it. I never had any trouble with the Committee on Rules. I doubt the Speaker would have too much trouble with it yet. But let me conclude with this one thought.

Without regard to the merits of this legislation—and as far as I am concerned, I do not know how I am going to vote—if you get this up under this arrangement, I suppose, if I follow my own record, I shall vote for it, but may I say to the gentleman from New York, do not push me too far. I think it would have been good advice to let us have some experience under the bill that we passed in the last session.

I had a citation from the civil rights leaders commending me for my leadership in bringing about the passage of the civil rights bill. As a matter of fact, I was credited so much by President Kennedy and Attorney General Kennedy in public for my part in the operation that it was beginning to be misunderstood back home. That happens to be a plain statement of fact.

I want to cooperate. I want to cooperate in the conclusion of the business of the House of Representatives. The other day I asked the majority leader, who has no better friend than I am, whether it was proposed to call up all seven of these measures, after they got rules on them today, and he could not assure me that they were going to be called up. I said, is this just going to be one of these exercises in futility? I do not know, maybe it will be. Possibly that is what we want. But as far as I am concerned I do not want it.

Mr. Speaker, I rose to straighten the record out as best I could about the Republican position and the Rules Committee position on the civil rights matter. I do not think it is right to indict the five Republican members, not to mention the other Members of the Rules Committee who would have voted for a rule for this bill if conditions demonstrated that such a rule ought to be granted.

Mr. HALL. Mr. Speaker, I appreciate the remarks of the distinguished gentleman from Indiana, and I now yield to the minority leader, the distinguished gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Speaker, the distinguished gentleman from Indiana has ably and forcefully pointed out most pertinent matters that all of us ought to take into consideration here this afternoon as we unfortunately proceed with the schedule that the leadership has indicated it will follow.

Mr. Speaker, it seems to me that the scheduling of seven proposals, as has been done here under the 21-day rule, is an unnecessary and regrettable slap in the face to the House Committee on Rules.

Mr. Speaker, the gentleman from California, the ranking Republican member of the Committee on Rules, when he is recognized will give the facts and the figures which will indicate that the Committee on Rules has not been given adequate and ample time during which to proceed with the orderly consideration of these seven bills.

Mr. Speaker, based on their record this year, the House Committee on Rules does not deserve this kind of treatment.

Also the 21-day rule in this instance on this day has been used in one way or the other, indirectly or otherwise, to bypass what we in the House have approved as a method of considering legislation concerning the District of Columbia on 2 days each month.

Now pending before us are seven proposals brought up for consideration under the 21-day rule, and the suggestion is or the rumor is if all are considered the House Committee on the District of Columbia that should have been recognized today for its business, will not be recognized.

Mr. Speaker, I feel that this is an unfortunate development, regardless of how we may or may not vote on legislation that may come from that committee as it relates to the home rule issue.

So, Mr. Speaker, it seems to me when you take into consideration the facts laid on the record, the observations and the recommendation of the gentleman from Indiana [Mr. HALLECK], those that have come from others such as the gentleman from California, I think the motions, the quorum calls, and the like we have been doing here today are fully justified under all of the facts and circumstances.

Mr. HALL. Mr. Speaker, I now yield to the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Speaker, in connection with several of these bills that are pending before us today, I would like to call the attention of the Members of the House to the fact that House Resolution 478 providing for the consideration of H.R. 9460, the National Foundation on the Arts and Humanities Act of 1965, was received in the Rules Committee on July 14. A petition was filed the next day, July 15, under the 21-day rule. We were not requested to hear the bill until the following day, July 16.

On the second bill which House Resolution 536 would make in order, H.R. 10281, the Government Employees' Salary Comparability Act, it was received on August 16 and a hearing was requested on August 16. However, only 3 days later a petition was filed under the 21-day rule.

On the third item, House Resolution 534, providing for the consideration of H.R. 6183, the mid-decade censuses, we received the bill on August 12 in the Committee on Rules and a hearing was requested on August 19. A petition was filed the same day under the 21-day rule.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield for a question on the arts and humanities bill?

Mr. SMITH of California. Not until the gentleman from California completes his statement and then I shall yield, with the gentleman from Missouri permitting.

Mr. Speaker, on House Resolution 506, the Equal Opportunity Act of 1965, it was received on August 3 and a hearing was requested on August 4. The petition was filed on August 9, under the 21-day rule.

Mr. Speaker, during this time we were pretty busy bringing out rules on other important legislation. I do not believe we turned down any rule we were requested to grant. On the minority side we supported each of these measures; and even though I voted against the immigration bill and the voting rights bill, I did support the rule.

During July we reported out 10 important bills. And in August, we reported out 15 bills. We supported rules on the immigration bill, the higher education bill, the farm bill, the public works bill, the interest equalization bill, the extension of the vocational rehabilitation bill, the Peace Corps bill, the military pay bill, and the voting rights bill, and when we were asked for medicare and the Social Security Act amendments, we granted the rule. It was passed. Also the farm bill. We will also be

called upon to report out the omnibus rivers and harbors bill, probably this week as I see the bill is scheduled for floor action. I will support a request for a rule.

Mr. Speaker, when the leadership asked us for a rule on all of these matters coming before the Committee on Rules, we of the minority supported a rule, even though some of us voted against some of the bills. I am disappointed after all the effort we have made in sending more legislation to the floor this year than at any time during my 9 years of service, that we would have this sort of slap in the face and this attack made on us today.

Mr. Speaker, I deeply regret that the leadership has seen fit to do this.

Mr. HALL. Mr. Speaker, I want to say as far as the approval of the House of Representatives' Journal is concerned, after it having been clearly established here in colloquy and by parliamentary inquiry, that it is the responsibility of the Clerk of the House of Representatives; it was demonstrated that entire sections and complete amendments have been left out. Therefore I do not believe it should be approved on final vote when that is called for.

I now yield to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I thank the gentleman.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. GROSS. Mr. Speaker, a point of order.

The SPEAKER. For what purpose does the gentleman from Iowa arise?

Mr. GROSS. The transacting of business of the House prior to adoption of the reading of the Journal.

The SPEAKER. The Chair will state it is always proper, as well as courteous, to receive a message from the President of the United States, or from the other body, as quickly as possible.

The gentleman from Oklahoma [Mr. ALBERT] is recognized for 20 minutes.

Mr. ALBERT. Mr. Speaker, if I were to use the 20 minutes I might be accused of engaging in a filibuster, which I sense has been going on all afternoon. But I do not think I should let this occasion pass without saying to my good friend from Indiana and my good friend from Michigan, that I thought the 21-day rule issue had been settled in January last; that this procedure was a legitimate and bona fide method of calling up legislation in the House; that it is a method which enables the Members to express their will on legislation in which they are interested.

It was in this spirit and not in any spirit of criticism or going around the Committee on Rules that this procedure was used.

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

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

Mr. THOMPSON of New Jersey. Mr. Speaker, in response to the statement of the gentleman from California with respect to the bill having to do with the arts and humanities, our distinguished majority leader and I asked the distinguished chairman of the Rules Committee, the gentleman from Virginia [Mr. SMITH], some time ago about the possibility of hearings on that bill. He was asked courteously and he said he would take the matter under advisement as to whether or not the committee would have time; it had a very heavy load.

We waited until another time. The majority leader and I went to the gentleman from Virginia who in this instance actually suggested in the interest of saving time in his committee that we use the 21-day procedure on that bill.

Mr. ALBERT. The gentleman is correct, and the gentleman from Virginia said specifically to me that that procedure was permissible under the rules of the House.

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

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

Mr. McMILLAN. Is it not a fact these bills were scheduled for District Day?

Mr. ALBERT. The gentleman is in error. These resolutions were scheduled to be called today because today is the day on which their consideration is in order under the 21-day rule.

I may say to the gentleman these matters are of the highest privilege, they rank in privilege with resolutions considered under discharge petitions.

They rank in privilege ahead of bills reported from the great Committee on the District of Columbia. There was no relation, and I can say this without any fear of contradiction—there was no relation at all between programing these rules and any business that the gentleman from South Carolina might have had from the Committee on the District of Columbia.

May I say, Mr. Speaker, I am a little bit surprised at the gentleman from Missouri [Mr. HALL] who has been complaining about not having had time to debate, when the minority could have had 30 minutes on every resolution, I am sure, had the minority not spent so much time filibustering today.

Mr. HALL. Mr. Speaker, will the gentleman yield to me at that point for a question since he has used my name?

Mr. ALBERT. Yes, I will yield to my friend from Missouri who has used more time today than any other Member and, therefore, has less right to complain than any Member of the House about being given insufficient time to debate these matters.

Mr. HALL. I appreciate the distinguished majority leader from my neighboring State yielding to me. May I say I appreciate the beautiful bouquet. It is like something from the hills of home when he says it that way. If we have established a rule of procedure here today that will in future generations even establish the right of the minority not in debate but in procedures of the House, he should as majority leader that he is, be most appreciative of it.

Mr. ALBERT. The gentleman has not established any rules. He has exercised his rights under the rules—and I concede that to him. But I would say to the gentleman, I am a little bit surprised when I find that it was the FEPC bill that the minority leadership were filibustering against. I thought it was the bill dealing with certain matters from the Committee on Banking and Currency and a bill dealing with pay for Federal employees that was causing all of the filibustering on the other side.

Mr. HALL. Let me complete my point that the gentleman so generously yielded to me for. Will you assure us when these resolutions are called up that we will have equal time and if so that is quite contrary to what our understanding was.

Mr. ALBERT. May I say to the gentleman that nobody—no Member of the minority including the distinguished gentleman who has led the procedure here today on the other side of the aisle—no Member of the minority suggested to me any kind of procedure which would guarantee them equal time if in return they would cease and desist engaging in this obvious filibuster against the consideration of legislation which has been duly programed by the majority and by the Speaker of the House.

Mr. HALL. The distinguished majority leader knows that we must live on the basis of what has happened in the past.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. I thank the gentleman from Missouri yielding to me before when he had no time left and it seems both gentlemen are being very generous with their time since the distinguished majority leader just yielded back his time.

Mr. ALBERT. I meant to yield to my friend.

Mr. SMITH of Virginia. I would like to make a brief statement since my name as chairman of the Committee on Rules has been mentioned.

The SPEAKER. The gentleman from Oklahoma [Mr. ALBERT] has 12 minutes remaining.

Mr. ALBERT. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. SMITH] and if the gentleman wants more time, I will be glad to yield more time to him.

Mr. SMITH of Virginia. The gentleman is getting a little more generous all the time. Maybe he will get generous today after a while, enough to let us all go home to dinner after a long and hard day's work.

Now, Mr. Speaker, the Committee on Rules has been mentioned and the 21-day rule. On the first day of this Congress, this House by a small majority voted the 21-day rule. That is a part of the rules of the House. But the 21-day rule by its provisions leaves it in the discretion of the Speaker of the House as to whether everything is going to be recognized, and I am sure the Speaker of the House would agree with me that it was never contemplated at that time we would just take the whole bushel and throw them all in here for consideration in 1 day's time. However, that is what has happened and some of us do not like

it. The gentleman from New Jersey mentioned about his bill to take care of the arts, actors, and actresses, and the songbirds and so forth.

The gentleman did ask me about that. I am sure I told him, as I have told every Member of the House who has brought up the question about the 21-day rule, that it was a part of the rules of the House. I have said, "If you do not think you are going to get action on the part of the Rules Committee, go ahead and file your request under the 21-day rule."

I am sure I told the gentleman that. I told others that.

The gentleman from New York [Mr. POWELL] seems to have gotten the habit in recent days, when reporting bills from the Committee on Education and Labor, of writing a letter to the Rules Committee asking for the consideration of a rule. At the same moment he has negatived that action by filing a rule under the 21-day provision of the rules.

In view of that sort of attitude, I do not know why the Rules Committee should get down and crawl in order to accommodate one who takes that attitude.

The SPEAKER. The 2 minutes yielded to the gentleman from Virginia have expired.

Mr. SMITH of Virginia. Does the generosity of the gentleman from Oklahoma still exist?

Mr. ALBERT. How could I refuse? Mr. Speaker, I yield 2 additional minutes to the gentleman from Virgina.

Mr. SMITH of Virginia. The gentleman from Indiana, who has had long experience on the Rules Committee, as I have had, has spoken. We served on the Rules Committee many years together. I have served on that committee for 33 years. I wish to say to the House, on my responsibility as a Member of the House, that never in my time has there been a Committee on Rules that has reported out as much business for the administration and has turned down less stuff that the administration has wanted than the Committee on Rules has during the present session of the Congress. I have the assurance of the leadership that we have cooperated fully.

Why should we be kicked around in this way by picking up all the garbage out of the Rules Committee in instances in which the 21 days have expired and dumping it on the floor of the House on one day? If that is orderly procedure, my 35 years of experience in this body has not taught me anything.

Why should we take the action requested? What is there in the seven bills about which there is so much rush and that is of such great importance to the administration that the leadership takes this extraordinary opportunity?

At least one of the bills—and I have not had an opportunity to read them all—is directly opposed by the administration. Another of these bills about which there is so much hurry to get through, I am told, exceeds by far the recommendation for expenditures by the administration—by the President. I do not believe that there is one of those seven bills—and I shall stand corrected if I am wrong—that has the support of the President. I am talking about what appears in the newspapers; I am not talking about what conversation goes on behind doors.

I challenge anyone to show that any one of the seven bills is endorsed by the administration. I know that two of them are opposed. I beg your pardon. I observe the gentleman from New Jersey [Mr. THOMPSON] has risen. That is one that I remember, and I stand corrected.

Mr. THOMPSON of New Jersey. I should like my name to appear at that point in the RECORD.

Mr. ALBERT. Mr. Speaker, I promised to yield to the gentleman from Missouri [Mr. BOLLING].

I yield to the gentleman from Missouri.

Mr. BOLLING. Mr. Speaker, I have not served on the Rules Committee for 33 years, but I have served for 11 years. Since my distinguished chairman is making clear how very cooperative we have been this year, I should like to suggest that two events had something to do with that cooperation. The first of those events took place in January 1961 when we increased the size of the committee, so that we did really have a majority.

The second event took place in January of this year, when the House had the wisdom to adopt the 21-day rule so that if the Rules Committee was obstructive, the House would be able to work its will.

Second, since some of us on both sides of the aisle are being so pious about orderly procedures I should like to point out that the Committee on Rules of the House of Representatives is the only committee, to the best of my knowledge, which always violates the rules of the House that requires the committees, with one exception, to have regular meeting days.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield 1 minute to the gentleman from Virginia.

Mr. SMITH of Virginia. Mr. Speaker, I do not know what my good friend and colleague from Missouri is getting at. I want to say that I have never claimed that the Rules Committee was without sin. I have never claimed that I was without sin, and I do not know whether the gentleman from Missouri is without sin.

But what I do say is that with the exception of the bill of the gentleman from New Jersey [Mr. THOMPSON], I am quite sure that there is not a one of these seven bills there is so much rush to get through by the leadership which has the endorsement or approval on the record of either the report of the committee or of any other Department or Agency of the administration I have seen.

I express my appreciation to my good friend from Oklahoma for yielding.

Mr. ALBERT. I thank the gentleman from Virginia.

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

Mr. ALBERT. Mr. Speaker, I dislike not yielding to the gentleman, but the colloquy has gone on quite a bit. I yield the gentleman one-half minute.

Mr. HALLECK. Mr. Speaker, the 21-day rule, as I understand it, was designed to permit the House of Representatives to work its will. Under the rules of the House, before we ever had a 21-day rule, the District of Columbia Committee was given 2 days a month to bring its bills to the floor.

I believe it can be said without any question at all that the scheduling of these seven bills—and I say to the gentleman from Oklahoma that they are high priority; they are high enough priority to shove the District of Columbia Committee right out, and that is what they have done—means that the District of Columbia Committee has been denied its day in court, for bringing here its bills for the House of Representatives to have an opportunity to express its will.

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

The SPEAKER. The question is on the motion of the gentleman from Oklahoma [Mr. ALBERT] that the Journal, as read, stand approved.

Mr. HALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 265, nays 119, answered "present" 1, not voting 47, as follows:

[Roll No. 284]

YEAS—265

Adair	Donohue	Howard
Adams	Dow	Hungate
Addabbo	Dulski	Huot
Albert	Duncan, Oreg.	Ichord
Anderson, Tenn.	Dwyer	Irwin
	Dyal	Jacobs
Andrews, N. Dak.	Edmondson	Jarman
	Edwards, Calif.	Jennings
Annunzio	Ellsworth	Joelson
Ashley	Erlenborn	Johnson, Calif.
Baldwin	Evans, Colo.	Jones, Ala.
Bandstra	Evins, Tenn.	Karsten
Barrett	Fallon	Karth
Beckworth	Farbstein	Kastenmeier
Bell	Fascell	Kee
Bennett	Feighan	King, Calif.
Bingham	Findley	King, Utah
Blatnik	Fino	Kluczynski
Boggs	Flood	Krebs
Boland	Fogarty	Kunkel
Bolling	Foley	Laird
Brademas	Ford, William D.	Landrum
Brooks		Leggett
Broomfield	Fraser	Long, Md.
Brown, Calif.	Friedel	Love
Burke	Fulton, Pa.	McCarthy
Burleson	Fulton, Tenn.	McDade
Burton, Calif.	Garmatz	McDowell
Byrne, Pa.	Giaimo	McFall
Byrnes, Wis.	Gibbons	McGrath
Cabell	Gilbert	McVicker
Cahill	Gilligan	Macdonald
Callan	Gonzalez	Machen
Carey	Grabowski	Mackay
Cederberg	Gray	Mackie
Chamberlain	Green, Oreg.	Madden
Clancy	Green, Pa.	Mahon
Clark	Greigg	Martin, Nebr.
Clevenger	Grider	Mathias
Cohelan	Hagen, Calif.	Matsunaga
Collier	Hamilton	Matthews
Conte	Hanley	Meeds
Cooley	Hanna	Miller
Corbett	Hansen, Iowa	Minish
Corman	Hansen, Wash.	Mink
Craley	Harris	Minshall
Cunningham	Harsha	Mize
Daniels	Hathaway	Moeller
Davis, Ga.	Hawkins	Monagan
Dawson	Hays	Moore
de la Garza	Hechler	Moorhead
Delaney	Herlong	Morgan
Dent	Hicks	Morris
Denton	Holifield	Morrison
Diggs	Horton	Morse
Dingell	Hosmer	Mosher

Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Slack
Smith, Calif.
Smith, Iowa
Stafford
Staggers
Stalbaum
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Teague, Calif.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
White, Idaho
White, Tex.
Widnall
Willis
Wolff
Wyatt
Yates
Young
Zablocki

NAYS—119

Abbitt
Abernethy
Anderson, Ill.
Andrews, Glenn
Arends
Ashmore
Ayres
Bates
Battin
Belcher
Berry
Betts
Bow
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burton, Utah
Callaway
Carter
Chelf
Clausen, Don H.
Clawson, Del
Cleveland
Colmer
Conable
Cramer
Curtin
Curtis
Dague
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Everett
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Henderson
Hull
Hutchinson
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kornegay
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Mailliard
Marsh
Martin, Mass.
Michel
Morton
Murray
Nelsen
O'Neal, Ga.
Passman
Poage
Poff
Pool
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Rogers, Tex.
Roudebush
Satterfield
Schneebeli
Scott
Selden
Skubitz
Smith, N.Y.
Smith, Va.
Springer
Stanton
Talcott
Taylor
Thomson, Wis.
Tuck
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Whalley
Whitener
Whitten
Williams
Wilson, Bob
Wydler

ANSWERED "PRESENT"—1

Derwinski

NOT VOTING—47

Andrews, George W.
Ashbrook
Aspinall
Baring
Bolton
Bonner
Bray
Cameron
Casey
Celler
Conyers
Culver
Daddario
Farnsley
Farnum
Gallagher
Griffin
Griffiths
Halpern
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kirwan
Lindsay
McClory
Martin, Ala.
May
Mills
Moss
Ryan
St. Onge
Steed
Teague, Tex.
Thomas
Thompson, Tex
Toll
Weltner
Wilson, Charles H.
Wright
Younger

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Daddario for, with Mr. Derwinski against.

Mr. DERWINSKI. Mr. Speaker, I have a live pair with the gentleman from Connecticut [Mr. DADDARIO]. If he were present, he would vote "yea." I voted "nay." I withdraw my vote "nay" and vote "present."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. McMILLAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. McMILLAN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. McMILLAN. Mr. Speaker, now that the Journal has been read and other business has been dispensed with, is it in order to call up District bills under the rules of the House?

The SPEAKER. If the gentleman from New York [Mr. POWELL] yields for that purpose.

Mr. McMILLAN. Mr. Speaker, has the gentleman from New York [Mr. POWELL] been recognized?

The SPEAKER. The Chair is going to recognize the gentleman from New York [Mr. POWELL] because the gentleman from New York has the privileged matter.

The Chair recognizes the gentleman from New York.

MOTION TO ADJOURN

Mr. McMILLAN. Mr. Speaker, I move that the House do now adjourn and on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 175, nays 204, answered "present" 1, not voting 53, as follows:

[Roll No. 285]

YEAS—175

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Ayres
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bow
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Cahill
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cooley
Corbett
Cramer
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Oreg.
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Everett
Evins, Tenn.
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Harris
Henderson
Herlong
Hicks
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jennings
Johnson, Pa.
Jonas
Jones, Ala.
Keith
King, N.Y.
Kornegay
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Mailliard
Marsh
Martin, Nebr.
Matthews
Michel
Minshall
Mize
Moore
Morton
Murray
Natcher
Nelsen
O'Neal, Ga.
Passman
Pickle
Pirnie
Poage
Poff
Pool
Purcell
Quie
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Schneebeli
Scott
Selden
Shriver
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stanton
Stephens
Stubblefield
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Watts
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NAYS—204

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Baldwin
Bandstra
Barrett
Bingham
Blatnik
Boggs
Boland
Brademas
Brooks
Broomfield
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Callan
Carey
Clark
Clevenger
Cohelan
Conte
Corman
Craley
Cunningham
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Pa.
Greigg
Grider
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harsha
Hathaway
Hawkins
Hays
Hechler
Holifield
Horton
Howard
Hungate
Huot
Irwin
Jacobs
Joelson
Johnson, Calif.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kluczynski
Krebs
Kunkel
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Mathias
Matsunaga
Meeds
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Powell
Price
Pucinski
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rodino
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stratton
Sullivan
Sweeney
Tenzer

Thompson, N.J.	Ullman	White, Idaho
Todd	Van Deerlin	Willis
Trimble	Vanik	Wolff
Tunney	Vigorito	Yates
Tupper	Vivian	Zablocki
Udall	Walker, N. Mex.	

ANSWERED "PRESENT"—1

Derwinski

NOT VOTING—53

Andrews, George W.	Green, Oreg.	Martin, Ala.
Ashbrook	Griffin	Martin, Mass.
Aspinall	Griffiths	May
Baring	Hardy	Miller
Bolling	Harvey, Ind.	Mills
Bolton	Harvey, Mich.	Moss
Bonner	Hébert	Ryan
Bray	Helstoski	St. Onge
Cameron	Holland	Steed
Casey	Johnson, Okla.	Teague, Tex.
Celler	Jones, Mo.	Thomas
Conyers	Kelly	Thompson, Tex.
Culver	Keogh	Toll
Daddario	Kirwan	Weltner
Farnsley	Landrum	Wilson, Charles H.
Farnum	Leggett	Wright
Gallagher	Lindsay	Young
	McClory	

So the motion to adjourn was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Derwinski for, with Mr. Daddario against.

Messrs. WILLIS and KASTENMEIER changed their vote from "yea" to "nay."

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

Mr. DERWINSKI. Mr. Speaker, I have a live pair with the gentleman from Connecticut [Mr. DADDARIO]. If he were present he would vote "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The Chair recognizes the gentleman from New York.

MESSAGE FROM THE SENATE

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

H.R. 1892. An act for the relief of M. Sgt. Richard G. Smith, U.S. Air Force, retired;

H.R. 3864. An act for the incorporation of the Merchant Marine War Veterans Association;

H.R. 8218. An act for the relief of Walter K. Willis;

H.R. 8351. An act for the relief of Clarence L. Aiu and others;

H.R. 8761. An act to provide an increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 9854. An act for the relief of A. T. Leary;

H. Con. Res. 451. Concurrent resolution authorizing the printing of additional copies of "The Prayer Room in the U.S. Capitol"; and

H. Con. Res. 468. Concurrent resolution to recognize the World Law Day.

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

H.R. 10014. An act to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives.

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

S. 1310. An act relating to the National Museum of the Smithsonian Institution;

S. Con. Res. 46. A concurrent resolution to authorize placing temporarily in the rotunda of the Capitol the statue of the late Senator Dennis Chavez;

S. Con. Res. 47. A concurrent resolution to authorize the acceptance by Congress of the statue of the late Senator Dennis Chavez; and

S. Con. Res. 48. A concurrent resolution to print as a Senate document the proceedings of the presentation, dedication, and acceptance by Congress of the statue of the late Senator Dennis Chavez.

The message also announced that the Vice President, pursuant to Public Law 84–689, appointed the following Members on the part of the Senate to the Eleventh North Atlantic Treaty Organization Parliamentary Conference to be held in New York, N.Y., October 4 to 9, 1965: Mr. PELL (chairman), Mr. WILLIAMS of New Jersey, Mrs. NEUBERGER, Mr. BAYH, Mr. KENNEDY of New York, Mr. SALTONSTALL, Mr. MUNDT, Mr. JAVITS, and Mr. CASE.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 88th Congress, entitled "An act to provide for the disposal of certain records of the United States Government," appointed Mr. MONRONEY and Mr. CARLSON members of the joint select committee on the part of the Senate for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 66–4.

EQUAL EMPLOYMENT OPPORTUNITY ACT OF 1965

Mr. POWELL. Mr. Speaker, pursuant to the provisions of clause 23, rule XI, I call up House Resolution 506, providing for the consideration of H.R. 10065, which has been pending before the Committee on Rules for more than 21 calendar days without being reported by said committee.

The Clerk read as follows:

H. RES. 506

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10065) to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. POWELL].

Mr. GERALD R. FORD. Mr. Speaker, would the distinguished gentleman from New York indicate what time allocation he will make on this rule to the opposition?

Mr. POWELL. Responding to our distinguished minority leader, it is my purpose to use only about 30 seconds and out of the magnaminity of my heart, I would like to give the Republicans 10 times that much.

Mr. GERALD R. FORD. I am frankly overwhelmed at the generosity exhibited by the gentleman from New York for 5 minutes for the minority, as I calculate it. I am sure it is the desire of Members on our side to have and use more time than that. But I am sure if we asked the distinguished gentleman, he will make certain that more time is made available at the proper time.

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

Mr. GERALD R. FORD. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 259, nays 121, answered "present" 2, not voting 50, as follows:

[Roll No. 286]

YEAS—259

Adair	de la Garza	Harsha
Adams	Delaney	Hathaway
Addabbo	Dent	Hawkins
Albert	Denton	Hays
Anderson, Ill.	Diggs	Hechler
Anderson, Tenn.	Dingell	Hicks
Andrews, N. Dak.	Dole	Holifield
Annunzio	Donohue	Horton
Ashley	Dow	Hosmer
Ayres	Dulski	Howard
Baldwin	Duncan, Oreg.	Hungate
Bandstra	Dwyer	Huot
Barrett	Dyal	Hutchinson
Bates	Edmondson	Ichord
Bell	Edwards, Calif.	Irwin
Berry	Ellsworth	Jacobs
Bingham	Evans, Colo.	Joelson
Blatnik	Fallon	Johnson, Calif.
Boggs	Farbstein	Johnson, Pa.
Boland	Fascell	Karsten
Bolling	Feighan	Karth
Bow	Findley	Kastenmeier
Brademas	Fino	Kee
Brooks	Flood	Keith
Broomfield	Fogarty	King, Calif.
Brown, Calif.	Foley	King, N.Y.
Burke	Ford, Gerald R.	King, Utah
Burton, Calif.	Ford, William D.	Kluczynski
Burton, Utah	Fraser	Krebs
Byrne, Pa.	Friedel	Kunkel
Cahill	Fulton, Pa.	Latta
Callan	Garmatz	Long, Md.
Carter	Giaimo	Love
Chamberlain	Gibbons	McCarthy
Clancy	Gilbert	McCulloch
Clark	Gonzalez	McDade
Clausen, Don H.	Goodell	McDowell
Cleveland	Grabowski	McFall
Clevenger	Gray	McGrath
Cohelan	Green, Oreg.	McVicker
Conable	Green, Pa.	Macdonald
Conte	Greigg	MacGregor
Corbett	Grover	Machen
Corman	Gubser	Mackay
Craley	Hagen, Calif.	Mackie
Cunningham	Halleck	Madden
Curtin	Halpern	Mathias
Dague	Hamilton	Matsunaga
Daniels	Hanley	Meeds
Dawson	Hanna	Minish
	Hansen, Iowa	Mink
	Hansen, Wash.	Moeller
		Monagan

Moore	Redlin	Slack
Moorhead	Reid, N.Y.	Smith, Iowa
Morgan	Reifel	Smith, N.Y.
Morris	Reinecke	Springer
Morrison	Resnick	Stafford
Morse	Reuss	Staggers
Mosher	Rhodes, Ariz.	Stalbaum
Multer	Rhodes, Pa.	Stanton
Murphy, Ill.	Rivers, Alaska	Stratton
Murphy, N.Y.	Robison	Sullivan
Natcher	Rodino	Sweeney
Nedzi	Rogers, Colo.	Tenzer
Nix	Ronan	Thompson, N.J.
O'Brien	Roncalio	Todd
O'Hara, Ill.	Rooney, N.Y.	Trimble
O'Hara, Mich.	Rooney, Pa.	Tunney
O'Konski	Roosevelt	Tupper
Olsen, Mont.	Rosenthal	Udall
Olson, Minn.	Rostenkowski	Ullman
O'Neill, Mass.	Roudebush	Van Deerlin
Ottinger	Roush	Vanik
Patman	Roybal	Vigorito
Patten	Rumsfeld	Vivian
Pelly	St Germain	Walker, N. Mex.
Pepper	Saylor	Watkins
Perkins	Scheuer	Whalley
Philbin	Schisler	White, Idaho
Pike	Schmidhauser	White, Tex.
Pirnie	Schneebeli	Widnall
Powell	Schweiker	Wolff
Price	Secrest	Wyatt
Pucinski	Senner	Wydler
Quie	Shipley	Yates
Race	Shriver	Zablocki
Randall	Sickles	

NAYS—121

Abbitt	Fountain	Passman
Abernethy	Frelinghuysen	Pickle
Andrews, Glenn	Fulton, Tenn.	Poage
	Fuqua	Poff
Arends	Gathings	Pool
Ashmore	Gettys	Purcell
Battin	Grider	Quillen
Beckworth	Gross	Reid, Ill.
Belcher	Gurney	Rivers, S.C.
Bennett	Hagan, Ga.	Roberts
Betts	Haley	Rogers, Fla.
Brock	Hall	Rogers, Tex.
Broyhill, N.C.	Hansen, Idaho	Satterfield
Broyhill, Va.	Harris	Scott
Buchanan	Henderson	Selden
Burleson	Herlong	Sikes
Byrnes, Wis.	Hull	Sisk
Cabell	Jarman	Skubitz
Callaway	Jennings	Smith, Calif.
Cederberg	Jonas	Smith, Va.
Chelf	Jones, Ala.	Stephens
Clawson, Del	Kornegay	Stubblefield
Collier	Laird	Talcott
Colmer	Landrum	Taylor
Cooley	Langen	Teague, Calif.
Cramer	Lennon	Teague, Tex.
Curtis	Lipscomb	Thomson, Wis.
Davis, Ga.	Long, La.	Tuck
Davis, Wis.	McEwen	Tuten
Devine	McMillan	Utt
Dickinson	Mahon	Waggonner
Dorn	Mailliard	Walker, Miss.
Dowdy	Marsh	Watson
Downing	Martin, Nebr.	Watts
Duncan, Tenn.	Matthews	Whitener
Edwards, Ala.	Michel	Whitten
Erlenborn	Minshall	Williams
Everett	Morton	Willis
Evins, Tenn.	Murray	Wilson, Bob
Fisher	Nelsen	Younger
Flynt	O'Neal, Ga.	

ANSWERED "PRESENT"—2

Derwinski	Mize

NOT VOTING—50

Andrews, George W.	Gilligan	Martin, Ala.
	Griffin	Martin, Mass.
Ashbrook	Griffiths	May
Aspinall	Hardy	Miller
Baring	Harvey, Ind.	Mills
Bolton	Harvey, Mich.	Moss
Bonner	Hébert	Ryan
Bray	Helstoski	St. Onge
Cameron	Holland	Steed
Carey	Johnson, Okla.	Thomas
Casey	Jones, Mo.	Thompson, Tex.
Celler	Kelly	Toll
Conyers	Keogh	Weltner
Culver	Kirwan	Wilson, Charles H.
Daddario	Leggett	
Farnsley	Lindsay	Wright
Farnum	McClory	Young
Gallagher		

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Daddario for, with Mr. Derwinski against.

Mr. Keogh for, with Mr. Hébert against.

Mrs. May for, with Mr. Martin of Alabama against.

Until further notice:

Mr. Kirwan with Mr. Harvey of Indiana.
Mr. Mills with Mr. Martin of Massachusetts.
Mr. St. Onge with Mr. Griffin.
Mrs. Kelly with Mrs. Bolton.
Mr. Toll with Mr. Harvey of Michigan.
Mr. Miller with Mr. Ashbrook.
Mr. Charles H. Wilson with Mr. Bray.
Mr. Moss with Mr. Lindsay.
Mr. Helstoski with Mr. McClory.
Mr. George W. Andrews with Mr. Aspinall.
Mr. Celler with Mr. Conyers.
Mr. Carey with Mr. Bonner.
Mr. Farnum with Mr. Gallagher.
Mr. Hardy with Mr. Griffiths.
Mr. Gilligan with Mr. Thomas.
Mr. Wright with Mr. Culver.
Mr. Casey with Mr. Cameron.
Mr. Weltner with Mr. Leggett.
Mr. Young with Mr. Ryan.
Mr. Steed with Mr. Farnsley.
Mr. Johnson of Oklahoma with Mr. Baring.
Mr. Thompson of Texas with Mr. Holland.

Messrs. ANDERSON of Illinois, FINDLEY, KEITH, RHODES of Arizona, DON H. CLAUSEN, and HUTCHINSON changed their vote from "nay" to "yea."

Mr. DERWINSKI. Mr. Speaker, I have a live pair with the gentleman from Connecticut [Mr. DADDARIO]. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

Mr. McCULLOCH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCULLOCH. Mr. Speaker, was the previous question ordered on the question to adopt the resolution that has just been voted on?

The SPEAKER. It was not.

Mr. McCULLOCH. Mr. Speaker, having voted in the affirmative, I now move that the vote by which House Resolution 506 was adopted be now reconsidered.

Mr. ALBERT. Mr. Speaker, I move that that motion be laid upon the table.

Mr. McCULLOCH. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The question is on the motion offered by the gentleman from Oklahoma [Mr. ALBERT].

Mr. LAIRD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair is in the process of counting.

Evidently a sufficient number have risen, and the yeas and nays are ordered.

Mr. LAIRD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. LAIRD. Mr. Speaker, on the resolution just passed no one was allowed to debate that resolution on behalf of the minority or the majority. If this motion to table, offered by the gentleman from Oklahoma [Mr. ALBERT] is defeated, then there will be time to debate the resolution just passed.

The question of reconsideration is debatable, and it can be debated on the merits of the legislation which has not been debated by the House.

The SPEAKER. What part of the gentleman's statement does he make as a parliamentary inquiry?

Mr. LAIRD. Mr. Speaker, if the motion to table is defeated, the motion to reconsider will give us an opportunity to debate the question on the resolution.

The SPEAKER. Under the present circumstances, the motion to reconsider would be debatable.

Mr. LAIRD. I thank the Speaker.

Mr. McCULLOCH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. McCULLOCH. Mr. Speaker, what time would be allowed to debate the question and how would it be divided?

The SPEAKER. It will be under the 1-hour rule and the gentleman from Ohio would be entitled to the control of the entire hour.

The Chair will restate the question on which the yeas and nays have been demanded and ordered.

The question is on the motion of the gentleman from Oklahoma [Mr. ALBERT] to lay on the table the motion to reconsider.

The question was taken; and there were—yeas 194, nays 181, not voting 57, as follows:

[Roll No. 287]

YEAS—194

Adams	Ford, William D.	Macdonald
Addabbo		Machen
Albert	Fraser	Mackay
Anderson, Tenn.	Friedel	Mackie
	Fulton, Pa.	Madden
Annunzio	Fulton, Tenn.	Matsunaga
Ashley	Garmatz	Meeds
Baldwin	Giaimo	Minish
Bandstra	Gibbons	Mink
Barrett	Gilbert	Moeller
Bingham	Gonzalez	Monagan
Blatnik	Grabowski	Moorhead
Boggs	Gray	Morgan
Boland	Green, Oreg.	Morris
Bolling	Green, Pa.	Morrison
Brademas	Greigg	Murphy, Ill.
Brooks	Grider	Murphy, N.Y.
Brown, Calif.	Hagen, Calif.	Natcher
Burke	Halpern	Nedzi
Burton, Calif.	Hamilton	Nix
Byrne, Pa.	Hanley	O'Brien
Cahill	Hanna	O'Hara, Ill.
Callan	Hansen, Iowa	O'Hara, Mich.
Carey	Hansen, Wash.	Olsen, Mont.
Clark	Harris	Olson, Minn.
Clevenger	Hathaway	O'Neill, Mass.
Cohelan	Hawkins	Ottinger
Corbett	Hays	Patman
Corman	Hechler	Patten
Craley	Hicks	Pepper
Daniels	Holifield	Perkins
Dawson	Howard	Philbin
de la Garza	Hungate	Pike
Delaney	Huot	Powell
Dent	Irwin	Price
Denton	Jacobs	Pucinski
Diggs	Joelson	Race
Dingell	Johnson, Calif.	Randall
Donohue	Karsten	Redlin
Dow	Karth	Reid, N.Y.
Dulski	Kastenmeier	Resnick
Dyal	Kee	Reuss
Edmondson	King, Calif.	Rhodes, Pa.
Edwards, Calif.	King, Utah	Rivers, Alaska
Evans, Colo.	Kirwan	Rodino
Evins, Tenn.	Kluczynski	Rogers, Colo.
Fallon	Krebs	Ronan
Farbstein	Long, Md.	Roncalio
Fascell	Love	Rooney, N.Y.
Feighan	McCarthy	Rooney, Pa.
Fino	McDowell	Roosevelt
Flood	McFall	Rosenthal
Fogarty	McGrath	Rostenkowski
Foley	McVicker	Roush

Roybal	Staggers	Van Deerlin
St Germain	Stalbaum	Vanik
Scheuer	Stratton	Vigorito
Schisler	Sullivan	Vivian
Schmidhauser	Sweeney	Walker, N. Mex.
Schweiker	Tenzer	Watts
Secrest	Thompson, N.J.	White, Idaho
Senner	Todd	Wolff
Shipley	Trimble	Yates
Sickles	Tunney	Zablocki
Slack	Udall	
Smith, Iowa	Ullman	

NAYS—181

Abbitt	Fisher	O'Neal, Ga.
Abernethy	Flynt	Passman
Anderson, Ill.	Ford, Gerald R.	Pelly
Andrews, Glenn	Fountain	Pickle
	Frelinghuysen	Poff
Andrews, N. Dak.	Fuqua	Pool
	Gathings	Purcell
Arends	Gettys	Quie
Ashmore	Goodell	Quillen
Ayres	Gross	Reid, Ill.
Bates	Grover	Reifel
Battin	Gubser	Reinecke
Beckworth	Gurney	Rhodes, Ariz.
Belcher	Hagan, Ga.	Rivers, S.C.
Bell	Haley	Roberts
Bennett	Hall	Robison
Berry	Halleck	Rogers, Fla.
Betts	Hansen, Idaho	Rogers, Tex.
Bow	Harsha	Roudebush
Brock	Henderson	Rumsfeld
Broomfield	Herlong	Satterfield
Broyhill, N.C.	Horton	Saylor
Broyhill, Va.	Hosmer	Schneebeli
Buchanan	Hull	Scott
Burleson	Hutchinson	Selden
Burton, Utah	Jarman	Shriver
Byrnes, Wis.	Jennings	Sikes
Cabell	Johnson, Pa.	Skubitz
Callaway	Jonas	Smith, Calif.
Carter	Jones, Ala.	Smith, N.Y.
Cederberg	Keith	Smith, Va.
Chamberlain	King, N.Y.	Springer
Chelf	Kornegay	Stafford
Clancy	Kunkel	Stanton
Clausen, Don H.	Laird	Stephens
	Landrum	Stubblefield
Clawson, Del	Langen	Talcott
Cleveland	Latta	Taylor
Collier	Lennon	Teague, Calif.
Colmer	Lipscomb	Teague, Tex.
Conable	Long, La.	Thomson, Wis.
Conte	McCulloch	Tuck
Cooley	McDade	Tupper
Cramer	McEwen	Tuten
Cunningham	McMillan	Utt
Curtin	MacGregor	Waggonner
Curtis	Mahon	Walker, Miss.
Dague	Mailliard	Watkins
Davis, Wis.	Marsh	Watson
Devine	Martin, Nebr.	Whalley
Dickinson	Mathias	White, Tex.
Dole	Matthews	Whitener
Dorn	Michel	Whitten
Dowdy	Minshall	Widnall
Downing	Mize	Williams
Duncan, Tenn.	Moore	Willis
Dwyer	Morse	Wilson, Bob
Edwards, Ala.	Morton	Wyatt
Ellsworth	Mosher	Wydler
Erlenborn	Murray	Younger
Everett	Nelsen	
Findley	O'Konski	

NOT VOTING—57

Adair	Gallagher	May
Andrews, George W.	Gilligan	Miller
	Griffin	Mills
Ashbrook	Griffiths	Moss
Aspinall	Hardy	Multer
Baring	Harvey, Ind.	Pirnie
Bolton	Harvey, Mich.	Poage
Bonner	Hébert	Ryan
Bray	Helstoski	St. Onge
Cameron	Holland	Sisk
Casey	Ichord	Steed
Celler	Johnson, Okla.	Thomas
Conyers	Jones, Mo.	Thompson, Tex.
Culver	Kelly	Toll
Daddario	Keogh	Weltner
Davis, Ga.	Leggett	Wilson, Charles H.
Derwinski	Lindsay	
Duncan, Oreg.	McClory	Wright
Farnsley	Martin, Ala.	Young
Farnum	Martin, Mass.	

So the motion was agreed to.

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

Mr. ICHORD. Mr. Speaker, just exactly what are the conditions for qualifying?

The SPEAKER. In order to qualify the gentleman must have been listening and did not hear his name called.

Mr. ICHORD. Mr. Speaker, I cannot qualify.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. SIKES. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. SIKES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 173, nays 203, not voting 56, as follows:

[Roll No. 288]

YEAS—173

Abbitt	Everett	Mosher
Abernethy	Evins, Tenn.	Murray
Anderson, Ill.	Findley	Natcher
Andrews, Glenn	Fisher	Nelsen
	Flynt	O'Neal, Ga.
Andrews, N. Dak.	Ford, Gerald R.	Passman
	Fountain	Pelly
Arends	Frelinghuysen	Poff
Ashmore	Fuqua	Pool
Ayres	Gathings	Quie
Bates	Gettys	Quillen
Battin	Goodell	Reid, Ill.
Beckworth	Green, Oreg.	Reifel
Belcher	Gross	Reinecke
Bell	Grover	Rhodes, Ariz.
Bennett	Gubser	Rivers, S.C.
Berry	Gurney	Roberts
Betts	Hagan, Ga.	Robison
Bow	Hagen, Calif.	Rogers, Fla.
Brock	Haley	Rogers, Tex.
Broyhill, N.C.	Hall	Roudebush
Broyhill, Va.	Halleck	Rumsfeld
Buchanan	Hansen, Idaho	Satterfield
Burleson	Harris	Schneebeli
Burton, Utah	Hays	Scott
Byrnes, Wis.	Henderson	Selden
Cabell	Herlong	Shriver
Cahill	Hicks	Sikes
Callaway	Hosmer	Skubitz
Carter	Hull	Smith, Calif.
Cederberg	Hutchinson	Smith, N.Y.
Chamberlain	Ichord	Smith, Va.
Chelf	Jarman	Springer
Clancy	Jennings	Stanton
Clausen, Don H.	Johnson, Pa.	Stephens
	Jonas	Talcott
Clawson, Del	Keith	Taylor
Cleveland	King, N.Y.	Teague, Calif.
Collier	Kornegay	Teague, Tex.
Colmer	Laird	Thomson, Wis.
Conable	Langen	Tuck
Cooley	Latta	Tuten
Cramer	Lennon	Utt
Cunningham	Lipscomb	Waggonner
Curtin	Long, La.	Walker, Miss.
Curtis	McCulloch	Watkins
Dague	McEwen	Watson
Davis, Ga.	McMillan	Watts
Davis, Wis.	MacGregor	Whalley
Devine	Mailliard	White, Idaho
Dickinson	Marsh	Whitener
Dole	Martin, Nebr.	Whitten
Dorn	Matthews	Widnall
Dowdy	Michel	Williams
Downing	Minshall	Wilson, Bob
Duncan, Oreg.	Mize	Wyatt
Duncan, Tenn.	Moore	Wydler
Edwards, Ala.	Morse	Younger
Erlenborn	Morton	

NAYS—203

Adams	Bingham	Burke
Addabbo	Blatnik	Burton, Calif.
Albert	Boggs	Byrne, Pa.
Anderson, Tenn.	Boland	Callan
	Bolling	Carey
Annunzio	Brademas	Clark
Baldwin	Brooks	Clevenger
Bandstra	Broomfield	Cohelan
Barrett	Brown, Calif.	Conte
Corbett	Jacobs	Pucinski
Corman	Joelson	Purcell
Craley	Johnson, Calif.	Race
Daniels	Jones, Ala.	Randall
Dawson	Karsten	Redlin
de la Garza	Karth	Reid, N.Y.
Delaney	Kastenmeier	Resnick
Dent	Kee	Reuss
Denton	King, Calif.	Rhodes, Pa.
Diggs	King, Utah	Rivers, Alaska
Dingell	Kirwan	Rodino
Donohue	Kluczynski	Rogers, Colo.
Dow	Krebs	Ronan
Dulski	Kunkel	Roncalio
Dwyer	Landrum	Rooney, N.Y.
Dyal	Long, Md.	Rooney, Pa.
Edmondson	Love	Roosevelt
Edwards, Calif.	McCarthy	Rosenthal
Ellsworth	McDade	Rostenkowski
Evans, Colo.	McDowell	Roush
Fallon	McFall	Roybal
Farbstein	McGrath	St Germain
Fascell	McVicker	Saylor
Feighan	Macdonald	Scheuer
Fino	Machen	Schisler
Flood	Mackay	Schmidhauser
Fogarty	Mackie	Schweiker
Foley	Madden	Secrest
Ford, William D.	Mahon	Senner
	Mathias	Shipley
Fraser	Matsunaga	Sickles
Friedel	Meeds	Slack
Fulton, Pa.	Minish	Smith, Iowa
Fulton, Tenn.	Mink	Stafford
Garmatz	Moeller	Staggers
Giaimo	Monagan	Stalbaum
Gibbons	Morgan	Stratton
Gilbert	Morris	Sullivan
Gilligan	Morrison	Sweeney
Gonzalez	Murphy, Ill.	Tenzer
Grabowski	Murphy, N.Y.	Thompson, N.J.
Gray	Nedzi	Todd
Green, Pa.	Nix	Trimble
Greigg	O'Brien	Tunney
Grider	O'Hara, Ill.	Tupper
Halpern	O'Hara, Mich.	Udall
Hamilton	O'Konski	Ullman
Hanley	Olsen, Mont.	Van Deerlin
Hanna	Olson, Minn.	Vanik
Hansen, Iowa	O'Neill, Mass.	Vigorito
Harsha	Ottinger	Vivian
Hathaway	Patman	Walker, N. Mex.
Hawkins	Patten	White, Tex.
Hechler	Pepper	Willis
Holifield	Perkins	Wolff
Horton	Philbin	Yates
Howard	Pickle	Young
Hungate	Pike	Zablocki
Huot	Powell	
Irwin	Price	

NOT VOTING—56

Adair	Griffin	Mills
Andrews, George W.	Griffiths	Moorhead
	Hansen, Wash.	Moss
Ashbrook	Hardy	Multer
Ashley	Harvey, Ind.	Pirnie
Aspinall	Harvey, Mich.	Poage
Baring	Hébert	Ryan
Bolton	Helstoski	St. Onge
Bonner	Holland	Sisk
Bray	Johnson, Okla.	Steed
Cameron	Jones, Mo.	Stubblefield
Casey	Kelly	Thomas
Celler	Keogh	Thompson, Tex.
Conyers	Leggett	Toll
Culver	Lindsay	Weltner
Daddario	McClory	Wilson, Charles H.
Derwinski	Martin, Ala.	
Farnsley	Martin, Mass.	Wright
Farnum	May	
Gallagher	Miller	

So the motion was rejected.

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

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

The result of the vote was announced as above recorded.

TO AMEND THE BANK HOLDING ACT OF 1956

Mr. PATMAN. Mr. Speaker, pursuant to the provisions of clause 23, rule 11, I call up the resolution (H. Res. 499) providing for the consideration of the bill

(H.R. 7371) to amend the Bank Holding Company Act of 1956, which has been pending before the Committee on Rules for more than 21 calendar days without being reported by said committee.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7371) to amend the Bank Holding Company Act of 1956. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. PATMAN].

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. PATMAN. Mr. Speaker, I would like to finish my statement, but I am glad to yield to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, this is a rule making in order a legislative bill. Under the 21-day rule, and under the normal rules, there is 1 hour of debate on a resolution, equally divided between the majority and the minority. Is there any rule that does away with that procedure?

Mr. PATMAN. Mr. Speaker, may I say for the benefit of the gentleman from Virginia [Mr. SMITH], that I have already agreed with the minority that they will be yielded 30 minutes for purposes of debate with the hope, of course, that if possible, this time will be shortened. I do not expect to use that much time myself.

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

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

Mr. GERALD R. FORD. Is it the intention of the gentleman from Texas to yield 30 minutes to the minority, the gentleman from Tennessee [Mr. BROCK]?

Mr. PATMAN. Yes. He represents the minority and it is my intention to yield to him 30 minutes for debate purposes, with the understanding that he will shorten it, if it can be done.

Mr. Speaker, this bill is not a new bill. It is a bill involving the Du Pont Co. in Florida. This resolution provides for 4 hours of general debate. The debate will be confined to the bill. Therefore, it is necessary to debate the merits of the bill at this time, because we will have 4 hours of general debate, one-half of which will be in charge of the chairman of the committee and one-half in charge of the ranking minority member for debate purposes. We will have plenty of time to debate the bill when it comes up. It will be considered in the Committee of the Whole House on the State of the Union as bills are generally considered under the 5-minute rule and after that there will be a motion to recommit, if one desires to make the motion, with or without instructions.

Of course, it is just the general rule that is granted by the Committee on Rules normally. In this case the bill was reported on June 21, 1965, unanimously by the subcommittee of 12 members of the Committee on Banking and Currency and by a vote of 21–4 in favor of the bill by the full committee.

Mr. Speaker, we waited 42 days after we had filed the bill and the report with the Rules Committee chairman and then I wrote the Rules Committee chairman and we were just as courteous as it is possible to be and I was just as humble as a Member can be in asking for consideration of a rule for this particular bill. Well, I did not hear from the chairman at all or in any way. So after 42 days, I filed a resolution—in other words, a rule for the consideration of the committee and then after 21 days elapsed, which it has, we have the privilege under the rules of the House, the regular rules, of bringing this resolution up for consideration.

Mr. Speaker, I do not believe that there should be any real objection to this procedure. It is the regular way.

We did not try to stop hearings on this bill. We had hearings during the 88th Congress, and during the last session of Congress we had several days of hearings on a similar measure. We had heard every witness who wanted to be heard for or against the bill. Again this year we had hearings for a period of several days and heard every witness that wanted to be heard before our committee, for or against the bill.

So, Mr. Speaker, it has been thoroughly considered and I hope that this resolution will be adopted. Really, I do not believe there should be any objection to it because the merits will be voted on and discussed when the bill comes up in the regular way after the adoption of the resolution.

Now, Mr. Speaker, the only agency of our Government that has to do with holding companies and this particular bill, is the Federal Reserve Board. The Federal Reserve Board unanimously endorsed this bill and it has been endorsing this bill for a number of years. But now is the first time that we have had the privilege of considering this bill in this House.

I hope that the Members of the House will vote to consider it after the Committee on Banking and Currency has spent so much time and effort in order to get the facts and information to you so all could see exactly what it is all about.

Mr. Speaker, I trust the rule is adopted.

CALL OF THE HOUSE

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

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

Mr. McFALL. 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. 289]

Adair	Fulton, Tenn.	Miller
Anderson, Tenn.	Gallagher	Mills
	Goodell	Morrison
Andrews, George W.	Griffin	Moss
	Griffiths	Multer
Ashbrook	Hansen, Wash.	Pirnie
Aspinall	Hardy	Poage
Baring	Harvey, Ind.	Ryan
Bell	Harvey, Mich.	St. Onge
Bolton	Hébert	Sisk
Bonner	Helstoski	Smith, Calif.
Bray	Holland	Steed
Cameron	Johnson, Okla.	Thomas
Carey	Jones, Mo.	Thompson, Tex.
Casey	Kelly	Toll
Celler	Keogh	Weltner
Conyers	Lindsay	Williams
Culver	McClory	Wilson, Charles H.
Daddario	Mailliard	
Derwinski	Martin, Ala.	Wright
Farnsley	Martin, Mass.	Young
Farnum	May	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 372 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. TALCOTT. Mr. Speaker, I object.

Mr. McFALL. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The question was taken, and the Speaker pro tempore announced that ayes had it.

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

The SPEAKER pro tempore (Mr. ALBERT). The Chair will count. [After counting.] Two hundred forty-two Members are present, a quorum.

Mr. TALCOTT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 243, nays 136, not voting 53, as follows:

[Roll No. 290]

YEAS—243

Adams	Byrne, Pa.	Edmondson
Addabbo	Cabell	Edwards, Calif.
Albert	Cahill	Evans, Colo.
Anderson, Ill.	Callan	Evins, Tenn.
Anderson, Tenn.	Carey	Fallon
	Clark	Farbstein
Andrews, N. Dak.	Cleveland	Fascell
	Clevenger	Feighan
Annunzio	Cohelan	Fino
Ashley	Conte	Flood
Baldwin	Corbett	Fogarty
Bandstra	Corman	Foley
Barrett	Craley	Ford, William D.
Beckworth	Daniels	
Bennett	Davis, Ga.	Fraser
Bingham	Dawson	Frelinghuysen
Blatnik	de la Garza	Friedel
Boggs	Delaney	Fulton, Pa.
Boland	Dent	Fulton, Tenn.
Bolling	Denton	Garmatz
Brademas	Diggs	Gettys
Brooks	Dingell	Giaimo
Broomfield	Donohue	Gibbons
Brown, Calif.	Dow	Gilbert
Broyhill, N.C.	Dulski	Gilligan
Burke	Duncan, Oreg.	Gonzalez
Burleson	Dwyer	Grabowski
Burton, Calif.	Dyal	Gray

Green, Oreg.
Green, Pa.
Greigg
Grider
Grover
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Harsha
Hathaway
Hawkins
Hays
Hechler
Hicks
Holifield
Horton
Hosmer
Howard
Hungate
Huot
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kirwan
Krebs
Kunkel
Landrum
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Mathias
Matsunaga
Meeds
Michel
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stephens
Stratton
Sullivan
Sweeney
Taylor
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Weltner
White, Idaho
White, Tex.
Widnall
Willis
Wolff
Wright
Wydler
Yates
Zablocki

NAYS—136

Abbitt
Abernethy
Andrews, Glenn
Arends
Ashmore
Ayres
Bates
Battin
Belcher
Bell
Berry
Betts
Bow
Brock
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Collier
Colmer
Conable
Cooley
Cramer
Curtin
Curtis
Dague
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Ellsworth
Erlenborn
Everett
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Fuqua
Gathings
Goodell
Gross
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Henderson
Herlong
Hull
Hutchinson
Ichord
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kornegay
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Mailliard
Marsh
Martin, Nebr.
Matthews
Minshall
Mize
Moore
Murray
Natcher
Nelsen
O'Neal, Ga.
Passman
Poff
Pool
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Rogers, Tex.
Roudebush
Satterfield
Schneebeli
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stanton
Stubblefield
Talcott
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Watts
Whalley
Whitener
Whitten
Williams
Wilson, Bob
Wyatt
Younger

NOT VOTING—53

Adair
Andrews, George W.
Ashbrook
Aspinall
Baring
Bolton
Bonner
Bray
Cameron
Casey
Celler
Conyers
Culver
Cunningham
Daddario
Derwinski
Farnsley
Farnum
Gallagher
Griffin
Griffiths
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kluczynski
Leggett
Lindsay
McClory
Martin, Ala.
Martin, Mass.
May
Miller
Mills
Morse
Moss
Multer
Pirnie
Poage
Ryan
Sisk
Steed
Thomas
Thompson, Tex.
Toll
Wilson, Charles H.
Young

So the motion was agreed to.

Mr. TUTEN and Mr. DOLE changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

COMMITTEE ON HOUSE ADMINISTRATION

Mr. BURLESON, Mr. Speaker, will the gentleman from Texas yield for a unanimous-consent request?

Mr. PATMAN. I yield to the gentleman from Texas for a unanimous-consent request.

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that on tomorrow the Committee on House Administration may be permitted to sit during general debate.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 7371, TO AMEND THE BANK HOLDING COMPANY ACT OF 1956

Mr. PATMAN. Mr. Speaker, I will ask the minority to use some time.

Mr. BROCK. Has the gentleman yielded me a specific amount of time?

Mr. PATMAN. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee.

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

Mr. Speaker, it has been a long day and I know we are all tired, so I rise with some reluctance to address myself to this bill. However, I do want to make a couple of points on the rule.

I am opposed to it for two basic reasons: First of all, I do not understand the need for haste in the consideration of this legislation. Second, I do not believe that this is the proper way for this body to legislate.

I find it rather ironic to note that the distinguished chairman of the Committee on Banking and Currency has before the House today three resolutions to discharge the Committee on Rules from consideration of legislation. I recall the gentleman from Texas was one of us who voted against the adoption of the 21-day rule last January. Also it is very curious that he is now championing the cause of expediency and asking the House to act with speed and dispatch in view of the fact that our committee has been considering another bill, the bank merger bill, for 5 weeks, a bill which passed the other body without a single dissenting vote. Five weeks, I might note, is more time than has been devoted by our committee to all of the following bills—housing, International Monetary Fund, the gold reserve requirement, coinage, permission to grant the commercial right to banks to deal with revenue bonds.

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

Mr. BROCK. I yield to the chairman.

Mr. PATMAN. I think the gentleman is mistaken in his statement that I voted against the 21-day rule.

Mr. BROCK. If I am, I apologize. I thought that was the fact of the matter.

I think it is also somewhat ironic that after just having voted on a piece of civil rights legislation, most of us received today a letter from the distinguished chairman of the Committee on the Judiciary asking us to oppose this rule on the grounds that it is single-purpose and class type legislation. Why is haste required? For 7 years the Federal Reserve Board has been coming before our committee with a request to remove all exemptions, not just one.

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

Mr. BROCK. I yield to the gentleman.

Mr. POOL. What religious organizations are affected by this amendment to the Banking Holding Company Act? I have been trying to figure out from this report what it affects and what organizations it affects.

Mr. BROCK. To my knowledge, the only organization affected by this statement to the Bank Holding Company Act is the du Pont charitable foundation for crippled children.

Mr. POOL. They have this in the report:

> During the hearings it was attempted to ascertain what organizations would be brought under the broadened bill, but your committee was unable to develop this information.

I want to know what it does cover. Does it cover Catholics, Baptists, Methodist, Masons, Knights of Columbus. I have never seen anything like it.

Mr. BROCK. I thank the gentleman for his contribution.

The committee in its wisdom was not able to find out, either.

Mr. POOL. This is a single-shot piece of legislation aimed at one man down in Florida who is the trustee for the Du Pont estate. That is what it is. Is that right?

Mr. BROCK. That is the essence of my objection to the rule.

Mr. POOL. It should be on the private bill calendar instead of here on the 21-day rule. Do you not think so?

Mr. BROCK. I agree that we should broaden the bill to increase the coverage and remove all exemptions. That is the purpose of my remarks. The Federal Reserve Board for 7 years has been requesting us to remove all exemptions from the Bank Holding Company Act. They sent 25 specific recommendations to our committee. Yet we vote out a bill,

and bring it up under the 21-day rule, which affects only one corporation. In committee in executive session I offered an amendment which would have removed all other exemptions. It was opposed on the grounds that we had not had adequate testimony on other exemptions.

The fact of the matter is that we have had substantial testimony on these other exemptions. We had, if I recall correctly, at least two members of the Federal Reserve Board of Governors testify to the effect that they had consistently requested the committee to remove other exemptions.

Secondly, I question whether this bill represents a proper legislative approach for the House of Representatives. The chairman said in his initial remarks that this is a bill involving only the Du Pont estate and that is the nub of it. That is the one company affected. In the committee report the gentleman from Texas referred to, we were unable to find—that is, the committee was unable to find—any other company or organization affected by this bill. The Federal Reserve Board was asked if they could ascertain whether any other charitable organization was affected and they said they could not.

We do not consider in this bill any other area of exemption, although we have numerous other areas; agricultural cooperatives, labor unions, other banks and holding companies. The problem is that if we legislate in this body by considering those bills which affect only single areas which have achieved some degree of public attention, when there are other areas of concern, then it is literally impossible for a committee to engender support in attacking those other areas of concern. After we have taken the public heat off by passing one bill taking away the exemption from the one company which happens to have the press or some particular special interest group on its back, possibilities for further legislation in the field become slim or nonexistent.

I hope the House will defeat this rule, not because I do not think we should remove the exemption; this is a very debatable point. I personally think we should remove all exemptions from this act. We should insist that the committee, acting in full responsibility and in full knowledge of the facts, give full hearings to removing all exemptions. Then we can bring before this body legislation which is not class legislation, which is not punitive, but which is all inclusive in its scope and application to all organizations under the Bank Holding Company Act.

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

Mr. BROCK. I yield to the gentleman.

Mr. HOSMER. Would this bill be subject to a point of order on the ground that it is equivalent to a bill of attainder.

Mr. BROCK. The gentleman is asking the wrong gentleman; I do not know.

Mr. PATMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Speaker, sometime between now and sunrise I hope we get down this list to the Federal salary bill which is one of the seven resolutions on the calendar today. I doubt that there are very many Members on the other side of the aisle who have not written glowing letters in the last month to the Federal employee organizations telling them how much you love them, what great friends of theirs you are. But you are picking a fine way to show it here tonight. I also doubt that there are very many on the other side of the Chamber who have not demanded an early adjournment of Congress. If this strategy tonight succeeds, and I do not think it will, you will either delay adjournment by 2 weeks or you will defeat the 1965 salary bill.

I am really intrigued with the new look in the Grand Old Party. It takes brilliant generalship, in my judgment, to revive the old coalition in the attempt to prevent consideration of a civil rights bill which two-thirds of the House said earlier tonight ought to be debated and voted upon. I think it takes brilliant strategy to defeat a pay bill for 2½ million Federal employees in order to prove you love the Du Pont family.

Somebody has pointed out that the GOP controlled the House of Representatives twice in 34 years. Tonight I can understand a little better why.

Mr. BROCK. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Speaker, I would like to direct a question to the gentleman from Arizona, and it is this. Who was it, his side of the aisle or ours, that decided on the order in which these bills were to be presented? If it was his side, why did they not bring up the pay bill as the first bill?

Mr. UDALL. If the gentleman will yield, I would say that the leadership decides the order in which resolutions are brought up. My friend, the gentleman from California, surely believes with me that the House ought to be able to work its will. If any of these 21-day resolutions are bad, then they ought to be voted down. Let us vote them either up or down. However, we stalled for about 6 hours on the resolution providing for the consideration of the FEPC bill before it was adopted by a margin of more than two-thirds of the Members voting. If the pay bill is defeated or delayed, I think the responsibility will be quite clear.

Mr. HOSMER. I do not believe it is either fair or logical to equate the parliamentary procedures that have been conducted here today with any substantive position relative to the pay bill. These are separate matters entirely and the gentleman knows it. I want to vote for that bill just as much as he does.

Mr. UDALL. If the gentleman will yield further, I am concerned with the Federal employees' salary bill on which we have worked long and hard and it is a good bill. It either ought to be voted up or down. I cannot help but notice who prevented a vote on that bill.

Mr. BROCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, I believe the House of Representatives is interested in fair play in all of the legislation which it enacts.

It has been pointed out, and I reiterate the fact that this is punitive legislation, designed and pointed at one organization. This is not fair play.

Now, Mr. Speaker, the Federal Reserve Board has for the past 7 years sent 25 recommendations to the Congress each year intended to eliminate imperfections in the Bank Holding Company Act. These recommendations would do away with all exemptions, not just one, not just the Du Pont exemption. These recommendations would do away with all exemptions. But they have been ignored.

Mr. Speaker, I find it difficult to understand why those recommendations were ignored through all the years and why we have a bill before us at this time pointed just at the Du Pont organization.

Mr. Speaker, I carry no brief for the Du Ponts. I do appreciate the fact that they have industry located in the congressional district which it is my honor to represent. That industry provides good jobs for the people. It is a sound industry. So I do not apologize for being against legislation that is pointed only at that one organization, and which ignores and perpetuates all other exemptions.

A little later, at the appropriate time, Mr. Speaker, I believe my distinguished colleague, the gentleman from Florida [Mr. BENNETT], will offer an amendment which would bring all exempted organizations under this act in the manner which the Federal Reserve Board has recommended. It would treat everyone equally. This is fair play. I am going to vote for the gentleman's amendment. But I do believe the bill as it is now written is bad legislation. Both the rule and the bill should be defeated.

Mr. BROCK. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, I would like to speak briefly on this act, because it does affect a concern which has very substantial headquarters in the district which I represent.

Mr. Speaker, I have made a thorough study of this legislation and I attended many of the hearings held thereon. I have come to the conclusion that this bill is an improvement over the law as the law now exists. It would be a much better bill if very substantial amendments were added to the bill.

Mr. Speaker, perhaps it would be a little in point to say something about what this bill proposes to do. For many years the banking laws of our country have said that a bank cannot also operate a nonbanking business at the same time, for various good reasons. One good reason is that perhaps that nonbanking business might slip a little here and there once in while and there might be a tendency on the part of the bank to

bail out that particular concern against the interests of the general public and to some extent of the depositors of that bank. That has been the law for quite some time.

Mr. Speaker, in 1956 a law was passed saying that even banking holding companies, concerns that owned and held banks—provided that there were two banks involved—would be prevented from indulging in a nonbanking business. But when that bill went from the House of Representatives to the other body and came back, it came back with very substantial exemptions. These exemptions included churches, they included labor unions, they included a good number of other concerns, including testamentary trusts.

Mr. Speaker, I personally think that the Du Pont concern, a testamentary trust, is a wonderful concern, providing great charitable benefits for the citizens of our country. Primarily crippled children and aged are assisted.

As a matter of fact, as a fledgling lawyer in 1934, I helped to draft the papers involved in this $500 million estate, including Mr. Du Pont's will.

Mr. PATMAN. I wanted to ask a question.

Mr. BENNETT. I do not want to answer it until I get through. If I get through I will be glad to answer. If I have made any mistakes I will be glad to be corrected. My time is limited. The gentleman has the floor, and he can ask me questions in his own time. I want to talk about this bill. I am trying to put this into perspective.

I came to the conclusion this bill was a good bill over the law as it now exists even though it may pick out only one concern. They cannot find any concern other than the Du Pont estate.

Let us realize that the Federal Reserve Board has repeatedly gone on record asking for all of these exemptions to be eliminated. Let us look at the paradox: a great big bank like Manufacturer's Trust with all of its numerous branches can be many times the size of the Du Pont concern and yet not be covered by the law or this bill at all, because it is one company with branches, not separate banks. There is no logic in such a legal situation. Labor unions are not covered either and there are other concerns not covered, such as churches and others. These exemptions were written in by the Senate in 1956 and passed by the House and became the law of our country. These exemptions should all be eliminated.

It would be an advantageous and a proper thing to eliminate the exemptions for testamentary trusts, such as the Du Pont trust. There is no reason why a testamentary trust owning banks should also own railroads when comparable banking concerns are prohibited from doing this. We should consider the fundamental idea established by law that a bank should not be allowed to run nonbank enterprises.

I intend at the proper time to offer an amendment to carry out all of the Federal Reserve Board suggestions on these exemptions. I will put it in the RECORD. It will be in the Appendix of today's RECORD. You can read these the amendments, which are to carry out the recommendations of the Federal Reserve Board. I will offer them at the proper time.

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

Mr. BENNETT. I yield to the gentleman from Texas.

Mr. PATMAN. The gentleman is very fair in his statement, and I appreciate it personally. I believe he stated that this bill is an improvement over the present law.

Mr. BENNETT. Yes, that is true.

Mr. PATMAN. But even if the gentleman were unsuccessful in his efforts to get the bill amended, he would still vote for it?

Mr. BENNETT. Yes; Mr. Ball has taken this up with me and asked me about it. I have known Mr. Ball for most of my life. I said "You have been an example to me of great integrity, you have been an example of great independence; and I hope both of these things will be exemplified by my action on the floor as I intend to vote for the bill even if it is not amended."

Mr. PATMAN. May I make this comment, and this is the testimony of Mr. Balderson, vice chairman of the board under Mr. Martin? He made this statement when he testified on this bill:

> The Board of Governors of the Federal Reserve System favors enactment of H.R. 7371.

Mr. BENNETT. I am glad they agree with me.

Mr. PATMAN. The gentleman made one statement I do not understand. He referred to handling a trust under a subsidiary.

Mr. BENNETT. I think I said Manufacturer's Trust.

Mr. PATMAN. I believe that would be very unusual. I believe the gentleman made a mistake.

Mr. BENNETT. Maybe I do not know all about banking that the gentleman from Texas does. I know that in the State of Florida you are not allowed to have branch banks. The separate banks of the Florida National Bank chain are less than 40 I am sure. There are many single banks of larger size than the entire Du Pont chain in the United States and they are not covered by this bill because their business is done by numerous branches and not by separate banks. You see the great big buildings of the branches and the assets of the branches—they are all big. You think they, the branches, are big banks, but they are actually branches. I may have the wrong banking word. It is either "subsidiary" or "branch". There are certain banks of great size that have many branch banks and they are not covered. I know that to be the fact.

I know my bill would change this after my amendment is passed. If my amendment is passed, it will apply not only to a banking situation where there may be two banks but to a bank which is one bank with branches.

Mr. BROCK. Mr. Speaker, I yield to the gentleman from California [Mr. TALCOTT] 5 minutes.

Mr. TALCOTT. Mr. Speaker, I have asked for these few minutes to discuss a couple of points involved in this bill. I object to the rule and I object to the bill for a number of reasons. Some of them have already been discussed here.

The gentleman from Texas [Mr. PATMAN] in his first statement said we are dealing in this bill only with the Du Pont Co. This should be reason enough for everyone to vote against the rule and to vote against the bill itself. This is punitive legislation and applies to only one company. This should be sufficient reason to vote against the rule and the bill at this time when we are supposedly considering general legislation.

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

Mr. TALCOTT. I yield to the gentleman.

Mr. PATMAN. It only involves one company because only one company is exempted under the law. It should never have been exempted. They got special privileges. Since that one company got the exemption, this would remove that one company.

Mr. TALCOTT. Is that statement actually accurate, Mr. Chairman? There are many exemptions made under the bank holding company act—for religious organizations and fraternal organizations and unions and so on.

Mr. PATMAN. This has nothing to do with those other exemptions. We could not include them all in one bill.

Mr. TALCOTT. There are too many exemptions but they all could be included in one bill.

Mr. PATMAN. The gentleman had his day in court. I asked the gentleman to bring in any witnesses he wanted to and he never did produce any.

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

Mr. TALCOTT. I yield to the gentleman.

Mr. POOL. The committee report says that during the hearings they attempted to ascertain what organizations would be brought in under the broadened bill, but your committee was unable to develop this information. So they do not know.

Mr. TALCOTT. Well, that is true. As a matter of fact, the bill H.R. 7371 does not take into consideration fraternal organizations, religious organizations, unions, and a number of other similar organizations.

I requested of the Federal Reserve Board a list of all the trusts that might be involved in this bill. They were unable to supply me with the names of any trusts other than the Du Pont Co. which would be involved. I personally wrote to about 10 other trusts concerning this matter, asking if there would be some likelihood of their entity being included in H.R. 7371 and each wrote back and claimed that they would not

be included under this bill. So the fact is the bill is very carefully drawn to include only the Du Pont estate and this, of course, does make it very special legislation to which I think all of us should object. We can get around this very easily. The members of the Board of Governors of the Federal Reserve System have for a number of years suggested amendments to the Bank Holding Company Act and they have submitted to the Committee on Banking and Currency a list of 25 suggestions. We could take them and incorporate all of them and have a good bill. This was suggested in committee by a sizable number of members of the committee.

I would like to quote from a letter that most of us received today which was signed by the gentleman from New York [Mr. CELLER] chairman of the Committee on the Judiciary. For many years the gentleman from New York [Mr. CELLER] has been a champion of the 21-day rule. He is an eminent lawyer and is chairman of the Committee on the Judiciary. This is what he wrote:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 10, 1965.

DEAR COLLEAGUE: On September 13, House Resolution 499 will be before the House requesting a rule on H.R. 7371, a bill ostensibly designed to do away with exemptions from the provisions of the Bank Holding Company Act of 1956. We urge you to vote against the rule and the bill.

During the past 7 years, the Federal Reserve Board has sent the same 25 recommendations to the Congress designed to eliminate imperfections in the act. These recommendations would do away with all exemptions to the act, yet H.R. 7371 affects only one legal entity in the United States, the Alfred I. du Pont Estate in Jacksonville, Fla. During the course of the hearings, the statements which were submitted in support of H.R. 7371 demonstrated that the bill was not an effort made in good faith to plug the holes in the Bank Holding Company Act, but rather that the bill was aimed squarely at the Du Pont estate for reasons which have little to do with the original purpose of the act.

The bill is single-purpose, punitive legislation affecting one legal entity only—exactly the type of legislation our forefathers fled from in the old country, which led to the creation of the United States and the establishment of this House. If the Bank Holding Company Act is imperfect, let us hold hearings on the act in its entirety and eliminate any and all exemptions. Any modification through patchwork and single-purpose legislation will only serve to discriminate unjustly.

We urge you to vote against the rule, and if granted, to vote against the passage of H.R. 7371.

EMANUEL CELLER,
Member of Congress.
ROBERT L. F. SIKES,
Member of Congress.

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

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

Mr. FEIGHAN. When the gentleman refers to "we," to whom does he refer?

Mr. TALCOTT. The gentleman has asked to whom I referred, when I read from the letter, as "we." I said at the end of my statement that the letter was from EMANUEL CELLER, Member of Congress, and ROBERT L. F. SIKES, Member of Congress. That is a great combination.

Mr. PATMAN. Mr. Speaker, I yield 3 minutes to the gentleman from California.

Mr. HANNA. I thank the chairman for yielding.

I have sat here with some real satisfaction hearing that the gentleman would like to go further than we are going. It appears to me that whenever one is against what is taking place, there are two courses he can take. He can either say, "You should not be doing it at all" or, "I do not like what you are doing, for you are not going far enough."

In order to get the record straight as to what we are doing we must realize that we have a bill which merely provides that the law of the United States is that if one owns a bank and he is in the banking business, whether there are a great many branches or there are not a great many branches has nothing to do with the Bank Holding Act. Whether you have a lot of banks or whether you have one branch, one bank with a lot of branches, has nothing to do with it. You can be in the banking business, but you cannot be in other businesses. That is what the Bank Holding Act provides.

There was an exemption for testamentary trusts.

Gentlemen, you have been around this House for a long time; both Members on this side and many of you on the other side. How do amendments get into bills? Do you go in with a blanket amendment? Do you think all the people who were not covered by the bill have come in under one blanket amendment conceived at one fell swoop? Do you suppose that the labor leaders have cozened up to the people in the Du Pont Trust and said, "Fellows, let's get together and get out of that bill?" You can bet your bottom dollar that that did not happen. They got out on their own. Du Pont got out as a testamentary trust. You can be sure the fingerprints of the Du Pont Co. were carefully kept off the amendment on the testamentary trust. But they single shotted it. We are not trying to put their fingerprints on the bill now. They tried to single shot it; we are trying to single shot it.

It seems to me that the question of whether you should or should not take out such a provision in one fell swoop places it in the position of the fellow who came up and said to another, "How is your wife?" The second fellow said, "Compared to whom?"

The answer to the question will be somewhat different. Compared to whom?

The question that is asked here is whether a testamentary trust should be included in the Bank Holding Act. We are merely saying, "Yes. You single shotted to get included out. We will have to single shot to include you in."

That is what this bill does. With all the hearings that were conducted and all the testimony that was taken on the question, that is all that came out of it: "You were included out by an initiated amendment which was a single shot. You will by this bill be covered by the national law by this bill which is a single shot.

I yield back the balance of my time.

Mr. BROCK. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri.

Mr. CURTIS. Mr. Speaker, the issue before us is whether the resolution providing for debate on the bill should be adopted.

First, I wish to commend the gentleman from Texas for his fairness in following the precedent of the Rules Committee when they present a rule before the House in yielding half the time available to the minority side. That was the problem involved in connection with the previous resolution for considering the FEPC bill. There was no opportunity for the House to consider the merits of the question as to whether the rule should be adopted. In my judgment, the question whether a rule should be adopted—and I think in the judgment of most of the Members—depends on whether or not the committee that has considered the bill has indeed considered it, has printed hearings available, and has a written committee report.

I finally got a copy of the committee report. There were only about five committee reports available on our side at the Clerk's desk. The document room is closed, and has been closed for several hours.

I tried to determine whether committee hearings were available. I understand there were committee hearings, but they are not available here in the Chamber because the committee room is closed.

In order to intelligently debate the issues—and we have been hearing about some of them, as to whether this matter has been properly prepared so that the House can consider it—we need such documents.

The issue, as I see it, has been pointed up by the very brief debate on the substantive matters. The conclusion is that this is not ready for debate at this time.

Let me point out the difference between matters which come before us from the Rules Committee and matters which come before us under the 21-day rule. Before the Rules Committee those of us who are not on the committees involved are given an opportunity, if we choose, to appear, and to say whether we have been heard or whether people we know should have been heard or have not been heard. We are given an opportunity to express our views before the Rules Committee as to whether the matter is ready and timely for debate.

Where can any of us be heard under the procedures of the 21-day rule? I submit that the 21-day rule is an extraordinary remedy. If it is to be used, it should be used only if the Rules Committee has not provided an adequate forum for those who would like a bill reported and for those who disagree as to whether the bill should be before the House, so that they can be heard.

I believe the time we are spending on each one of these resolutions providing the procedures for debating these various bills should be spent to some degree in pointing out wherein the Rules Committee has failed, if at all. Perhaps the committee has failed on some of these particular bills.

I do not know why this bill could not have gotten a regular rule, if the House leadership had been interested, or if anyone had wanted to bring it up. I understand it was not even brought up before the Rules Committee.

I would assume, on something of this nature, although there is some controversy involved, the controversy might have been resolved.

I certainly do understand why the previous matter which was brought up under the 21-day rule might not have been ready for consideration. Anyone who cared to read the committee report could read the minority views, for example, of the gentleman from Nebraska, Congressman DAVE MARTIN, which pertain to the procedures followed by the committee, as to whether the matter was ready for floor debate and the timeliness of bringing the matter before the House.

This matter should have been discussed. The majority could have worked its will. I am sure it would have.

We all saw the manner in which the gentleman from New York, the chairman of the Committee on Education and Labor, said to the minority leader [Mr. FORD], "I will yield you 10 times the amount of time I am going to use, and I am going to use 30 seconds." That was done, instead of the procedure which the gentleman from Texas used. Again I commend the gentleman from Texas for immediately yielding half of the time allotted to him to those on the other side who have points they wished to make, a total of 30 minutes.

Let me make one correction in explanation of a difference of opinion between the gentleman from Tennessee [Mr. BROCK] and the gentleman from Texas [Mr. PATMAN] on the vote on the 21-day rule. The gentleman from Texas pointed out that his vote was on the previous question. There was no record vote on the 21-day rule itself. That technically is correct, and I believe it explains the confusion.

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

Mr. CURTIS. I yield to the chairman of the committee.

Mr. PATMAN. I suggest to the gentleman that the bill was reported on June 21, 1965. I asked for a rule. I wrote Judge SMITH, the chairman of the committee, in just as courteous a way as I possibly could and in just as humble a way as I could asking him for consideration of a rule. That was June 21, 1965. We did not hear from him at all. We never heard a word from him. Every week the staff would call, and would be informed that the chairman was still considering it and had not scheduled anything on it. We waited 42 days, not 21, and filed the resolution. Then, 21 days after that, which is today, we were privileged to bring it up. Do you not think that was plenty of time to give the Committee on Rules?

Mr. CURTIS. I do not want to yield further, because I want to comment on that.

This is the type of discussion I would have expected on the floor of the House during the consideration of a rule under the 21-day rule. This would permit members of the Committee on Rules to respond so that those of us in the House who are neither on the Banking and Currency Committee nor the Committee on Rules could vote on this with intelligence. I hope we will vote down this rule and consider this in an orderly fashion at the proper time of day.

Mr. BROCK. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, in conclusion I would like to echo the remarks of the gentleman from Missouri in thanking the chairman of the committee for his generosity in yielding time, allowing those of us who do have a concern with this rule and this bill to speak our minds. Regardless of the feelings of the gentleman from California as to our particular motivations, I point out that the Federal Reserve Board has requested that all exemptions be removed. I personally have introduced a bill to that effect. I think we are sincere in requesting that the committee give full consideration to the entire scope of the Bank Holding Company Act. This is the reason why we object to this bill. It is a valid reason, I think, and we request you vote against the rule.

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

Mr. BROCK. I yield to the gentleman.

Mr. TODD. May I ask one question? If we vote for the rule affirmatively, you can submit your amendments to the final bill, can you not?

Mr. BROCK. The gentleman knows full well the arguments which will be made against the amendment on the floor. That is the reason why we would like to have the amendment considered in committee as properly as possible.

Mr. TODD. I thank the gentleman. However, we can consider the amendments on the floor.

Mr. BROCK. We could, and I think we shall. The Bennett amendment will be offered and I will support it.

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

Mr. Speaker, I would like to discuss what Mr. BROCK, the gentleman from Tennessee, just suggested, namely, that this should be considered in the committee. I do not believe any committee ever acted more fairly in every possible way in the consideration of a bill than we acted in the consideration of this bill. We had every witness that wanted to be heard brought before the committee. The gentleman from California [Mr. TALCOTT] said, "Can we not find somebody who will be involved in this bill?" That is the language written in the report. We asked Mr. TALCOTT to find somebody. That was all right. We never necessarily know who is involved in bills. You make the law as it should be in order to treat everyone fairly and equally. That is what we were trying to do.

We considered every amendment which was suggested. The gentleman from California offered amendments. The gentleman from Tennessee offered amendments. Amendments were offered I think by every minority Member and some majority Members. We considered every one of them. Debate was not cut off on a single one. Each amendment was fully and thoroughly discussed. Then there was a vote. Out of 12 members of the subcommittee it was a unanimous vote for this bill—a unanimous vote. Eight Democrats and four Republicans. Then we came before the full committee and after full discussion, going into the hearings, with the printed hearings available, contrary to the remark made by the distinguished gentleman from Missouri, we acted on it. We did have full hearings on this bill.

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

Mr. PATMAN. I yield to the gentleman.

Mr. CURTIS. I did not say that. I said they were not here on the floor.

Mr. PATMAN. The gentleman knew that this bill was coming up. He could have gotten the hearings or the reports last Friday or last Thursday or any time last week. They were available. Just because they are not available tonight does not mean that they have not been available. They are available.

The Federal Reserve Board endorsed this bill unanimously. These other matters can be brought up at any time that anybody wants to bring them up. There are other bills pending on this subject before your committee. We will consider these bills. However, I was thinking of my dear friends on the Republican side. This is one time they could create for themselves a new image, just a little better image. You know, I feel saddened over the situation. I believe in a two-party system. I think we ought to have competition among the parties and have real competition.

Then we could have better laws, they would be better discussed and more fully discussed and people would be better informed. But when our permanent minority party—and we have to call them the permanent minority party, because they have not been in the majority long enough to be anything else except a permanent minority party, and they continue to make themselves the permanent minority party—I want to urge them to change that image, and start tonight by voting for a bill in the interests of the people, like this bill. Quit that old trickle-down theory that you have in your mind; quit that business; it does not belong here—such as this high-interest deal that the Republicans always put out every week, every day—high interest, high interest—and tight money.

Why, it would wreck this country to do what the Republicans are advocating. I hope they change that image a little bit

and make a start by voting for a bill like this.

Do you know what interest it is costing the country today, or what it would be costing today if Mr. Eisenhower had not permitted them to raise interest rates higher than they were in 1953, on January 20, when he came into office? If he had just kept them exactly where they had been during the Truman time and the Roosevelt time—when they were sufficiently high and adequate? Government bonds for over 12 years stayed at 2½-percent interest, did not go up, did not go down. They stayed there in the public interest.

They went up a little bit before 1953, but very little, and for obvious reasons. If Mr. Eisenhower had held that line we would not be paying almost $12 billion a year interest on the national debt today. We would only be paying $6 billion interest on the national debt today. That is something you can take your pen and paper and figure out for yourself, exactly how much that high-interest policy is costing the American taxpayers.

Today the people who pay interest in this country are paying not $30 or $40 billion a year, but over $75 billion a year. That is just interest, just interest on the national debt and other debts. It is entirely too much. I wish our Republican friends would quit thinking so much about high interest and tight money and help us get back on the track with reasonable rates of interest, and have more money for the good things in life that the American people need.

This very committee that we are talking about now, the Committee on Domestic Finance of the Banking and Currency Committee, had hearings over a long period of time about high interest by one concern that has been bilking—and I use the word bilking—the young, drafted servicemen in this country and charging them up to 65 percent and 100 percent interest, having them sign notes and contracts in blank and everything else.

Read the hearings. Money is going to a few people like that, just as it is in this estate down in Florida, with the estate getting millions of dollars a year. That is the difference, with that money going in at the top, being poured in at the top, and little if any trickling to the bottom.

The excise tax reduction is a good example. That is a perfect case. It proves the point, and I hope the gentleman from Michigan will listen to this and stay on his feet because I want him to hear it.

You know, it is the first time that excise taxes have been decreased in such a substantial way, and as a result the taxpayers paid more money into the Treasury. Why was that?

It is because the people at the bottom, the low-income groups and the poverty stricken people, the money they get they spend it right quick and it goes up.

Mr. Speaker, money travels 30, 40, 50, 100 times back and forth during the year.

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

Mr. PATMAN. Not right now. Just wait a minute and then I will yield to the gentleman.

In most cases before the year is over the Government has actually gotten its money back. That was proven in the excise tax case. That is percolating up. But when you start to percolate down like the situation is in this Du Pont case in Florida, giving them millions of tax-exempt money every year, it does not go down. It does not percolate down. There is no velocity to the money that is poured in at the top.

So, Mr. Speaker, this is a percolating-up deal where everyone is being helped.

If you dissolve this empire and take the railroads and the banks and separate them and take all of the big businesses they own and separate them and give other people an opportunity and compel them to obey the law just like everyone else is compelled to obey the law, we will all be helped by it.

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

Mr. PATMAN. I am now glad to yield to the gentleman from Michigan.

Mr. GERALD R. FORD. The gentleman from Texas [Mr. PATMAN] has been conducting a somewhat effective filibuster against the consideration of the Government employees' pay bill.

Mr. PATMAN. The gentleman does not really make that as a serious statement?

Mr. GERALD R. FORD. Yes; I most certainly do.

Mr. PATMAN. If we talk 10 minutes, you say it is a filibuster. If you take 6 hours, it is no filibuster.

Mr. GERALD R. FORD. Let me just make this comment. The gentleman said that the interest rate on the national debt increased under the Republicans during the Eisenhower administration. The facts are that since this Democratic administration has taken over, going back to January 1961, there has been better than a $2 billion per year increase in the total amount of interest paid on the national debt over that which was paid during the Eisenhower administration. We are now paying about $11 billion a year—$11 billion a year—in interest payments on the national debt. If I recall correctly under the Eisenhower administration in its last year there was an interest payment on the national debt of $9 billion per year.

May I say one other thing?

Mr. PATMAN. No—I can document the figures which I have used.

Mr. GERALD R. FORD. The gentleman from Texas indicated there had been a rather level rate of interest during the Truman administration. He has inferred the same condition during the Kennedy-Johnson administration. But while we have had those so-called low and level interest payments, during the Truman administration we had the most substantial increase in the cost of living. Again under this administration we are experiencing a very substantial increase in the cost of living rate.

This administration and the Truman administration have been the most inflationary administrations in the history of the United States, at least during modern times. Then and now the American people are suffering from the inflationary policies of the Democratic administration.

Mr. PATMAN. Mr. Speaker, I do not yield further. I am going to answer the gentleman.

The level periods of time which I talked about, I can document them.

I wish the gentleman would stand up. I like to see him on his feet.

I will take the period from June 30, 1939, to June 30, 1951. That was 12 years. That is when Mr. Roosevelt had a Federal Reserve Board that was looking after the interests of the people of the country and not just the banks. And, you know, they kept the interest rates at 2½ percent. Never during that time was the interest rate on long-term Government bonds above that rate, and not one time did any person have to sell his bonds at a loss. They were always sold at par and accrued interest. That represented a period of 12 years.

Now, Mr. Speaker, let us take a look at that 12 years. During that time we have the longest soup lines in history. We had 12 million to 15 million people unemployed. Part of that time people were losing their homes and shotguns were used against the sheriff to keep him from selling homes at forced sale. They could not buy automobiles and appliances. Their money was piled back in the bank representing the greatest potential inflationary specter that any civilized country on earth ever had for a part of that time.

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

Mr. PATMAN. No. I listened to you fellows and I yielded you the time. A part of that time we were shooting away a quarter of a billion dollars a day on the battlefields. During that 12 years—there never was a rougher 12 years—bad, good, inflationary, deflationary, depression, and hard times.

The Federal Reserve Board kept the interest rates on long-term bonds at exactly 2.5 percent. Nobody had to sell their bonds below par. You can do that at any time. Allowing interest rates to rise hurts the poor man; it is against the poverty drive; it is creating poverty as a matter of fact. They tell you you ought to have high interest to stop inflation but this has never worked. Whenever you have that kind of remedy it is like putting out a fire with gasoline.

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

Mr. PATMAN. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, I have enjoyed the friendship of the gentleman from Texas for many years. I heard him make this same speech quite frequently. Maybe I can get it to use myself.

Mr. PATMAN. I wish you would. I wish your party had paid attention to it.

Mr. ARENDS. A few years ago there was another gentleman from out in the

Far West who was an expert on money. He came down here with charts time after time, and talked about the monetary system. After one of these speeches, or during one of these speeches, a gentleman punched me in the ribs and said "There is a gentleman in addition to the 11 who knows about this monetary system, because only 12 men are supposed to know anything about money." I suppose the gentleman is 1 of 12.

Mr. PATMAN. There are people who are for high interest and the trickle-down theory who submit views like that. The truth is you have practically ruined this country on high interest and tight money. We cannot stand another 8 years of a Republican administration doing that. It was a good thing we passed that constitutional amendment that no President could serve longer than two terms because if Eisenhower had been in office all this time we would never have gotten out from under this tremendous load. We would have a debt of $600 billion, with an interest of $36 billion a year. We would not have the money to pay anything else.

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

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

Mr. GROSS. If business is so good why did the State of Texas lead the rest of the States last year in bank failures?

Mr. PATMAN. How many did we have? One?

Mr. GROSS. Many more than that.

Mr. PATMAN. I know of but one. It is like the fellow talking about crime increasing among the Chinese by 300 percent. That was because one Chinaman had violated three separate traffic laws, and that is how they reached the 300 percent. There is only one bank failure I know of.

Mr. GROSS. I will be glad to provide the chairman of the Committee on Banking and Currency with a list.

Mr. PATMAN. That is not an alarming figure. I believe in the private enterprise system. In the private enterprise system you make good loans and bad loans. Sometimes you have a loss.

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

Mr. PATMAN. I yield to the gentleman from Tennessee.

Mr. BROCK. I have enjoyed the colloquy with the gentleman very much, but I would like to get back to the issue. I want to ask the chairman a question. I believe he made one statement I would like to correct.

You said that the income of the beneficiaries of the estate was tax exempt.

Mr. PATMAN. That particular one of $8 million going to the trust was tax exempt.

Mr. Speaker, when the bill comes up we will consider every amendment they want us to consider.

Mr. Speaker, I move the previous question.

The previous question was ordered.

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

Mr. GERALD R. FORD. Mr. Speaker, on this vote I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 201, nays 171, answered "present" 3, not voting 57, as follows:

[Roll No. 291]

YEAS—201

Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Baldwin
Bandstra
Barrett
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Callan
Clark
Clevenger
Cohelan
Conte
Corbett
Corman
Craley
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Farbstein
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Harris
Hathaway
Hawkins
Hechler
Hicks
Holifield
Horton
Howard
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Krebs
Leggett
Long, Md.
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Matsunaga
Meeds
Miller
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Murphy, Ill.
Murphy, N.Y.
Murray
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pike
Powell
Price
Pucinski
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Slack
Smith, Iowa
Smith, N.Y.
Springer
Staggers
Stalbaum
Stratton
Sullivan
Sweeney
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
White, Idaho
White, Tex.
Willis
Wolff
Yates
Zablocki

NAYS—171

Abbitt
Abernethy
Adams
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Ayres
Bates
Battin
Belcher
Berry
Betts
Bow
Brock
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Cahill
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cooley
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Dulski
Duncan, Tenn.
Edwards, Ala.
Ellsworth
Erlenborn
Everett
Findley
Fisher
Flynt
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Fuqua
Gathings
Gettys
Goodell
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Hansen, Idaho
Hansen, Wash.
Harsha
Hays
Henderson
Herlong
Hosmer
Hull
Hutchinson
Jennings
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Mahon
Mailliard
Marsh
Martin, Nebr.
Mathias
Matthews
Michel
Minshall
Mize
Moore
Morse
Morton
Mosher
Natcher
Nelsen
O'Neal, Ga.
Passman
Pickle
Poff
Pool
Purcell
Quie
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Saylor
Schneebeli
Scott
Selden
Shriver
Sikes
Smith, Calif.
Smith, Va.
Stafford
Stanton
Stephens
Stubblefield
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tupper
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Watts
Whalley
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

ANSWERED "PRESENT"—3

Pelly
Roncalio
Talcott

NOT VOTING—57

Adair
Andrews, George W.
Ashbrook
Aspinall
Baring
Bolton
Bonner
Bray
Cameron
Carey
Casey
Celler
Conyers
Culver
Daddario
Derwinski
Fallon
Farnsley
Gallagher
Griffin
Griffiths
Halleck
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kirwan
Kluczynski
Lindsay
Love
McClory
Martin, Ala.
Martin, Mass.
May
Mills
Moss
Multer
Pirnie
Poage
Roosevelt
Ryan
Sisk
Skubitz
Steed
Thomas
Thompson, Tex.
Toll
Weltner
Wilson, Charles H.
Wright
Young

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Multer for, with Mr. Talcott against.

Mr. Kirwan for, with Mr. Martin of Alabama against.

Mr. Keogh for, with Mr. Hébert against.

Mr. Daddario for, with Mr. Derwinski against.

Mr. Lindsay for, with Mrs. May against.

Mrs. Kelly for, with Mr. Adair against.

Mr. Toll for, with Mr. Harvey of Indiana against.

Mr. Charles H. Wilson for, with Mrs. Bolton against.

Mr. Helstoski for, with Mr. Bray against.

Mr. Aspinall for, with Mr. Skubitz against.

Mr. Carey for, with Mr. Ashbrook against.

Mr. Fallon for, with Mr. Halleck against.

Until further notice:

Mr. Celler with Mr. Griffin.

Mr. Mills with Mr. Harvey, of Michigan.

Mr. Moss with Mr. Martin, of Massachusetts.

Mr. Weltner with Mr. McClory.

Mr. Wright with Mr. Pirnie.

Mr. Young with Mr. Johnson, of Oklahoma.

Mr. Holland with Mr. Ryan.

Mr. Bonner with Mr. Thomas.

Mr. Thompson of Texas with Mr. Farnsley.
Mr. Gallagher with Mr. Sisk.
Mr. Steed with Mr. Casey.
Mr. Cameron with Mr. Baring.
Mr. Roosevelt with Mr. Kluczynski.
Mr. Culver with Mr. Hardy.
Mrs. Griffiths with Mr. George W. Andrews.
Mr. Conyers with Mr. Baring.

Mr. TALCOTT. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. MULTER]. If he had been present he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. RONCALIO changed his vote from "yea" to "present."

Mr. FULTON of Pennsylvania changed his vote from "yea" to "nay."

Mr. PELLY changed his vote from "nay" to "present."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

Mr. POWELL. Mr. Speaker, pursuant to the provisions of clause 23, rule XI, I call up——

Mr. GERALD R. FORD. Mr. Speaker, would the distinguished gentleman from New York speak loud and clear so we will know exactly what he is intending to do?

Mr. POWELL. Mr. Speaker, this is the second time that I have been almost insulted today.

Mr. Speaker, pursuant to the provisions of clause 23, rule XI, I call up House Resolution 478 providing for the consideration of H.R. 9460 which has been pending before the Committee on Rules for more than 21 calendar days without being reported by the said committee.

The Clerk read the resolution, as follows:

H. RES. 478

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9460) to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. HALL. Mr. Speaker, a point of order.

The SPEAKER. The gentleman from Missouri will state his point of order.

Mr. HALL. Mr. Speaker, I make a point of order against the consideration of this bill by the House based on clause 4 of rule 27, the last line in section 908, the second paragraph, says:

Recognition for the motions shall be in the order in which they have been entered on the Journal.

The SPEAKER. The Chair will state that the gentleman is talking about an entirely different rule than is the situation now.

Mr. WAGGONNER. Mr. Speaker, I move that the House do now adjourn.

Mr. CEDERBERG. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from New York [Mr. POWELL] yield for a parliamentary inquiry?

Mr. POWELL. I do not yield, Mr. Speaker.

Mr. WAGGONNER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. Might the Chair suggest that the gentleman from New York yield for a parliamentary inquiry?

Mr. POWELL. For a parliamentary inquiry, Mr. Speaker, I yield.

Mr. GERALD R. FORD. Mr. Speaker, is it the intention of the distinguished chairman of the House Committee on Education and Labor to yield time to the minority?

Mr. POWELL. Mr. Speaker, that is not a parliamentary inquiry.

Mr. WAGGONNER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from New York has the floor.

Mr. CEDERBERG. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CEDERBERG. Mr. Speaker, would a motion at this time be in order to enlarge the Rules Committee to 435 Members?

The SPEAKER. Is the gentleman making a serious parliamentary inquiry?

Mr. CEDERBERG. Mr. Speaker, I withdraw my parliamentary inquiry.

Mr. HALL. Mr. Speaker, a parliamentary inquiry, if the gentleman from New York will yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Missouri for a parliamentary inquiry?

Mr. POWELL. Only for a parliamentary inquiry; yes.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HALL. Mr. Speaker, insofar as the discharge calendar as listed on our calendar of unfinished business refers to clause 4, rule 27, wherein is it possible, referring to my previous point of order with reference to an additional bill being out of order and not being considered to be so considered?

The SPEAKER. The Chair would advise the gentleman from Missouri that the House is operating under clause 23 of rule 11.

Mr. HALL. If the Speaker will allow me to submit further, under the yielding of the gentleman from New York, for a further parliamentary inquiry: There is no reference under the 21-day rule to the order in which bills will be called up, but it is specifically stated that recognition for motions will be in the order in which they have been entered on the Journal. They have been printed in the RECORD and Journal, and I submit the parliamentary inquiry is valid.

The SPEAKER. The Chair will state that the rule mentioned by the gentleman relates to an entirely different motion.

Mr. POWELL. I have requested that pursuant to clause 23, rule 11, I call up a House resolution.

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

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

Mr. GERALD R. FORD. Is it the intention of the gentleman to yield some time to the minority?

Mr. POWELL. Mr. Speaker, I shall be very, very glad to yield equal time.

The SPEAKER. What time does the gentleman from New York yield, and to which gentleman?

Mr. POWELL. We have not gone into the Committee of the Whole yet.

The SPEAKER. We are not in the Committee of the Whole; no.

Mr. POWELL. I am going to take 10 seconds from myself, and the distinguished gentleman from New Jersey, the author of the bill and the chairman of the subcommittee, is going to take 3 minutes. I will be happy to yield to the gentleman 3 minutes and 10 seconds.

Mr. SMITH of Virginia. Mr. Speaker, a point of order.

The SPEAKER. We are trying to coordinate matters.

Mr. SMITH of Virginia. I think a point of order takes precedence.

The SPEAKER. That is true.

The gentleman will state his point of order.

Mr. SMITH of Virginia. Just a few minutes ago I raised a question of the division of time on the last resolution that was up for consideration. The gentleman from Texas readily conceded, and the Chair conceded, that the usual rule and presentation of the rule is that there is 1 hour for debate, that time to be equally divided between the majority and minority.

If we are going to have rules around here, let us have them. What is the rule?

The SPEAKER. What is the gentleman's point of order?

Mr. SMITH of Virginia. The point of order is that under the rules of the House half the time is controlled—under the rule—by the majority, and the other half, 30 minutes, is yielded to the minority. That has been the rule ever since I have been around here.

The SPEAKER. The Chair will state that the control of time in the present parliamentary situation rests with the gentleman from New York [Mr. POWELL].

The gentleman from Virginia [Mr. SMITH] has referred to the action taken on the last resolution. That was a mat-

ter within the judgment of the gentleman from Texas [Mr. PATMAN]. The gentleman from New York [Mr. POWELL] has control of the 1 hour and he can dispose of that time as his judgment dictates.

Mr. SMITH of Virginia. That is not the usual rule, Mr. Speaker.

The SPEAKER. We are not operating under the usual rule.

Mr. SMITH of Virginia. Throughout the day and evening, Mr. Speaker, I have observed that we have not been operating under the usual rules.

The SPEAKER. When the Chair states that we are not operating under the usual rule, the Chair means by that we are not operating under the rules of the House governing the situation where a rule is reported out of the Committee on Rules where the custom for years has been to yield time to a Member on the minority side. The present situation as to the control of time is more comparable to a conference report for example where the Member in control of the conference report has control of the time and it is a matter of his judgment.

Does the gentleman from New York [Mr. POWELL] yield to any Member and, if so, to whom or does the gentleman from New York seek recognition for himself?

Mr. POWELL. Mr. Speaker, I yield myself 10 seconds.

Mr. Speaker, I rise to urge the adoption of the resolution H.R. 478, which provides for the consideration of H.R. 9460, a bill providing for the establishment of a National Foundation of the Arts and Humanities.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. POWELL. Mr. Speaker, I am very happy to yield to the distinguished chairman of the subcommittee that reported this bill out. He has been working on this for many years and is the author of this bill, the gentleman from New Jersey [Mr. THOMPSON], after which I will be very happy to yield to the distinguished colleague from Alabama [Mr. GLENN ANDREWS] 10 minutes. I now yield 5 minutes to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Speaker, I thank the distinguished chairman of our committee.

Mr. Speaker, I rise to support the adoption of the resolution, House Resolution 478. The adoption of this resolution will simply authorize the House to work its will on the bill, H.R. 9460, which is cosponsored by more than 100 of our colleagues in this body. The purpose of this bill is to create a National Foundation of the Arts and Humanities. It is an open rule providing for the debate to be equally divided on both sides of the aisle with sufficient time to enable both sides to express their position clearly. Under the rule, if adopted, any amendments may be offered. It is a perfectly open rule on a subject that has been before this great body for a great, great many years.

Mr. Speaker, I do not think at this late hour that the substance of the legislation needs any long debate. The question is, simply, Will the House allow the consideration under the proposed resolution of this bill, H.R. 9460, and during which time everyone will have an equal opportunity to discuss it both in general debate and under the 5-minute rule. As the distinguished chairman of the Committee on Rules said today in a colloquy with me, I have petitioned the Committee on Rules for hearings on this measure on a number of occasions and it was decided by that great committee that it had business which it considered to be of greater consequence and that the Committee on Rules could not reach this legislation.

The chairman of the Committee on Rules advised that we use this procedure, it being, he said to me then, and repeated to me this afternoon, a part of the rules of this body.

I might point out, as the chairman of the Committee on Rules explained this afternoon, that the bill is an administration bill and deserves the consideration which it would get under the rules of this body. It is a bill in which the House should be given an opportunity to work its will. What the ultimate disposition of it will be is a question for the House to decide on consideration, full debate, and final disposition of the bill.

Mr. Speaker, I urge my colleagues to support this rule. It will enable the House to work its will on H.R. 9460, a bill to create a National Foundation on the Arts and the Humanities.

This is a small bill, but it is important.

During my second term in the House, I had the privilege of sitting on a subcommittee taking testimony which led to a great bill, the National Defense Education Act. That was our reaction to Sputnik I.

There was a thread running throughout our hearings. Yes, we need scientists, engineers, and technicians. But we also need people who can use the new technology and the new devices and the new knowledge; people who can turn them to the use of mankind. That was the undertone of the testimony. It was a caveat that many of us had in mind when we wrote that bill.

Now the time has come to make sure that our supply of humanists is large enough so that in future years machines remain the servant of mankind, and not vice versa.

I find it significant to recall the caveat of the National Defense Education Act hearings at this time. We propose to act in the area of the humanities while we still glow from the most recent exploit of our astronauts. In that great adventure there were many mishaps. The failures and the mishaps were all those of machines. Man once more proved his individual importance.

This is the importance of the humanities. In essence the humanities are the study of man in relationship to his environment.

Mr. Speaker, I could speak much further on the high purpose of H.R. 9460, and I shall do so when we are in Committee. I shall also discuss the mechanics of the program we propose to authorize. Today I desire to persuade our colleagues to support the rule.

First off, this bill, or bills with a similar purpose, has more Members of the House as cosponsors than any other bill that has been before this body in this Congress. Over 100 Members have expressed their affirmative interest in this proposal by introducing bills.

The hearing record is filled with testimonials from the academic community. It would consume most of time allowed on this rule to list them all. These are just a few of the academicians who endorse this proposal:

Dr. J. A. Stratton, president, Massachusetts Institute of Technology; Dr. Gustave Arlt, president, Council of Graduate Schools; Dr. Kingman Brewster, president of Yale—he was invited as an opposition witness; Dr. Frederick Burkhardt, president, American Council of Learned Societies; Dr. Barnaby Keeney, president, Brown University; Dr. Frederick Dorian, of Carnegie Institute of Technology; Dr. Robert Goheen, president of Princeton; Dr. John T. Fey, president, University of Wyoming; Michael Rapuano, president, American Academy in Rome; and Alvin C. Eurich, president, Aspen Institute for Humanistic Studies.

Business leaders are also for this bill. They include Thomas J. Watson, Jr., chairman of the board, International Business Machines; Nelson Poynter, publisher, St. Petersburg Times; Stanley Obermiller, president, National Art Materials Trade Association; and Lee C. Deighton, chairman, the McMillan Co.

A great many professional and cultural associations also endorse this legislation. Some of them are the American Institute of Architects, the Association of Research Libraries, the National Council on the Arts and Government, American Association of Museums, Print Council of America, National Federation of Music Clubs, American Library Association, National Association of Women Artists, and the American Parents Committee.

Then there are distinguished performers: Charlton Heston, Miss Lillian Gish, Frederick O'Neal, Ron Rawson, and Theodore Bickel.

Labor organizations supporting the bill are the AFL–CIO, the Steelworkers, the Autoworkers, and all of the unions within the performing fields.

Witnesses from the Government who testified in favor include Roger Stevens, chairman, National Council on the Arts; Francis Keppel, Commissioner of Education; Harry C. McPherson, then the Assistant Secretary of State for Cultural Affairs; L. Quincy Mumford, the Librarian of Congress; S. Dillon Ripley, Secretary to the Smithsonian Institution; John Walker, Director, National Gallery of Art; Dr. Glen T. Seaborg, Chairman, Atomic Energy Commission; and Leland J. Haworth.

Additionally it has been enacted in the other body.

Finally, this bill is a part of the legislative program of President Johnson.

Mr. Speaker, a piece of legislation with such a wide backing from within and without the Congress, deserves the consideration of the House.

For this reason, I urge my colleagues to support the rule.

Mr. POWELL. Mr. Speaker, I yield to the gentleman from Alabama [Mr. GLENN ANDREWS] 10 minutes.

Mr. GLENN ANDREWS. Mr. Speaker, I regret very much that the ranking member of our subcommittee, who is not able to be present today, has taken a position against the bill. He has done so not because of its stated purpose—the development of the arts and humanities—but because it would set up a brand new set of places for education that were untried, untested, and, it was thought, needed some thorough examination.

The minority views are printed. They are very conclusive.

I yield such time as he may need to my colleague, the gentleman from New York [Mr. REID].

Mr. REID of New York. Mr. Speaker, I thank my colleague for yielding. The hour is late to deal with the substance of the bill, the consideration of which is authorized by House Resolution 478. I will merely state that H.R. 9460 enjoys bipartisan support. As the gentleman from New Jersey [Mr. THOMPSON] has pointed out, over 100 Members support the bill. Many Members on this side of the aisle support it. I think it is clear that in America today there is a growing feeling that the arts and humanities deserve greater recognition and support at the national level, particularly since there is great emphasis in this day and age on the sciences.

I intend to support the bill. I believe in it. I also plan to offer an amendment at the appropriate time.

Finally, I would say that it is true, as stated in the minority views, that the bill did go through the full committee at a very rapid rate—roughly, 15 minutes. In my judgment, there was not adequate time for consideration. However, the distinguished chairman of the subcommittee [Mr. THOMPSON], has given the bill very careful thought and study over the years. I believe on balance it is a bill that should be supported.

I yield back the balance of my time.

Mr. GLENN ANDREWS. Mr. Speaker, I yield such time as he might need to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Speaker, as one of the cosponsors of this legislation, I am glad to join with the gentleman from New York [Mr. REID] in stating that the bill has bipartisan support. In fact, as has been stated, over 100 Members of the House have sponsored similar legislation, if not identical. As a member of the Committee on Science and Astronautics, my position is that we should likewise place emphasis on the arts and humanities, for the Nation is growing up culturally. This will be a good advance for us. It is one of the best bills I have seen on this particular subject.

Mr. GLENN ANDREWS. Mr. Speaker, the distinguished chairman of the subcommittee has been most fair, in my opinion, during the hearings on this subject.

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

Mr. GLENN ANDREWS. I yield to the gentleman from Iowa.

Mr. GROSS. It was indeed interesting to hear the distinguished Speaker of the House say that this bill was being considered under unusual procedure, because I asked the distinguished majority leader on last Thursday afternoon if it was not unusual for legislation to be considered under the procedure that has been employed today and the distinguished majority leader said—and his statement will be found in the CONGRESSIONAL RECORD—that this was not unusual procedure.

Mr. GLENN ANDREWS. Mr. Speaker, I yield back the remainder of our time.

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

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 260, nays 114, answered "present" 1, not voting 57, as follows:

[Roll No. 292]

YEAS—260

Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Bandstra
Barrett
Bates
Beckworth
Bell
Bennett
Berry
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Broomfield
Brown, Calif.
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cahill
Callan
Carey
Carter
Cederberg
Clark
Clausen, Don H.
Cleveland
Clevenger
Cohelan
Conable
Conte
Corbett
Corman
Craley
Cunningham
Curtin
Curtis
Daniels
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Everett
Farbstein
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Grover
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Hathaway
Hawkins
Hays
Hechler
Hicks
Holifield
Horton
Howard
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keith
King, Calif.
King, Utah
Krebs
Kunkel
Laird
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Mathias
Matsunaga
Meeds
Michel
Miller
Minish
Mink
Minshall
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Murray
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Reifel
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Senner
Shipley
Sickles
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stalbaum
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thomson, Wis.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Whalley
White, Idaho
Widnall
Willis
Wilson, Charles H.
Wolff
Wyatt
Wydler
Yates
Zablocki

NAYS—114

Abbitt
Abernethy
Anderson, Ill.
Andrews, Glenn
Arends
Ashmore
Ayres
Baldwin
Battin
Belcher
Betts
Bow
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis.
Cabell
Callaway
Chamberlain
Chelf
Clancy
Clawson, Del
Collier
Colmer
Cooley
Cramer
Dague
Davis, Ga.
Davis, Wis.
de la Garza
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Oreg.
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Evins, Tenn.
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Fuqua
Gathings
Gettys
Goodell
Gross
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Harsha
Henderson
Herlong
Hosmer
Hull
Hutchinson
Jonas
King, N.Y.
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
Mailliard
Marsh
Martin, Nebr.
Matthews
Mize
Natcher
Nelsen
O'Neal, Ga.
Passman
Poff
Pool
Quillen
Reid, Ill.
Reinecke
Roberts
Rogers, Tex
Roudebush
Satterfield
Selden
Shriver
Sikes
Skubitz
Smith, Va.
Stanton
Taylor
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Watts
White, Tex.
Whitener
Williams
Wilson, Bob
Younger

ANSWERED "PRESENT"—1

Talcott

NOT VOTING—57

Adair
Andrews, George W.
Ashbrook
Aspinall
Baring
Bolton
Bonner
Bray
Cameron
Casey
Celler
Conyers
Culver
Daddario
Derwinski
Fallon
Farnsley
Gallagher
Griffin
Griffiths
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kirwan
Kluczynski
Kornegay
Landrum
Lindsay
McClory
Martin, Ala.
Martin, Mass.
May
Mills
Moss
Multer
Pirnie
Poage
Rivers, S.C.
Roosevelt
Ryan
Sisk
Smith, Calif.
Steed

Thomas Weltner Young
Thompson, Tex. Whitten
Toll Wright

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Multer for, with Mr. Talcott against.
Mr. Pirnie for, with Mr. Martin of Alabama against.
Mr. Keogh for, with Mr. Adair against.
Mr. Martin of Massachusetts for, with Mr. Harvey of Indiana against.
Mr. Kirwan for, with Mr. Ashbrook against.
Mr. Celler for, with Mr. Hébert against.
Mrs. Bolton for, with Mr. Bray against.
Mr. Daddario for, with Mr. Derwinski against.
Mr. Steed for, with Mr. Smith of California against.

Until further notice:

Mr. Fallon with Mr. McCloy.
Mr. Moss with Mr. Harvey of Michigan.
Mr. Sisk with Mr. Griffin.
Mr. Helstoski with Mrs. May.
Mr. Roosevelt with Mr. Lindsay.
Mr. Aspinall with Mr. Baring.
Mr. Andrews of Alabama with Mr. Cameron.
Mr. Casey with Mr. Holland.
Mrs. Kelly with Mr. Kornegay.
Mr. Kluczynski with Mr. Ryan.
Mr. Conyers with Mr. Culver.
Mr. Landrum with Mrs. Griffiths.
Mr. Mills with Mr. Gallagher.
Mr. Toll with Mr. Whitten.
Mr. Wright with Mr. Johnson of Oklahoma.
Mr. Thompson of Texas with Mr. Farnsley.
Mr. Rivers of South Carolina with Mr. Weltner.
Mr. Young with Mr. Bonner.
Mr. Hardy with Mr. Thomas.

Mr. TALCOTT. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. MULTER]. If he were here, he would vote "yea." I voted "no." Therefore, I withdraw my vote of "no" and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REQUEST FOR GENERAL LEAVE TO EXTEND REMARKS

Mr. POWELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the two resolutions, House Resolution 506 and House Resolution 478, which have been passed and to include pertinent and extraneous material.

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

Mr. CURTIS. Mr. Speaker, reserving the right to object, I would observe that inasmuch as there was not any debate, it would not be fitting to have the RECORD indicate that there was, and for that reason I object.

The SPEAKER. Objection is heard.

Mr. POWELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the resolution just adopted by the House, House Resolution 478.

Mr. FLYNT. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

ADJUSTING RATES OF BASIC COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES IN THE FEDERAL GOVERNMENT AND ESTABLISHING FEDERAL SALARY REVIEW COMMISSION

Mr. UDALL. Mr. Speaker, pursuant to the provisions of clause 23, rule XI, by direction of the Committee on Post Office and Civil Service, I call up the resolution (H. Res. 536) providing for consideration of H.R. 10281, which has been pending before the Committee on Rules for more than 21 calendar days without being reported by the said committee.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 536

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10281) to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. UDALL. Mr. Speaker, the resolution now pending before the House would make in order the consideration of the bill, H.R. 10281, the Federal salary adjustment act of 1965. This bill was reported from our committee on August 16 by a vote of 20 to 3. It represents a full month of hearings and most careful consideration by our committee of this very comprehensive subject.

Mr. Speaker, this is a good bill and the pending resolution would provide for 4 hours of general debate to be equally divided and the rule is an open rule.

At this late hour I shall not go into the details of this very comprehensive legislation, but I urge Members of the House to support the resolution and to adopt it this afternoon.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield for a question on the bill itself?

Mr. UDALL. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I would like to inquire whether this is the bill that contained a provision by which the Congress will vote itself another raise in salary?

Mr. UDALL. No. The way the gentleman phrases the question, I cannot answer him in the affirmative. The bill contains a provision which would provide automatic machinery by which congressional, judicial, and Federal executive salaries would be adjusted. Under the bill, as now written, the first adjustment would occur at the beginning of the next Congress, 1967.

Mr. SMITH of Virginia. The gentleman has answered my question and I thank him.

Mr. UDALL. Mr. Speaker, I now yield the ranking minority member of the committee, the gentleman from Pennsylvania [Mr. CORBETT], 10 minutes.

Mr. CORBETT. Mr. Speaker, I yield myself 1 minute to answer the gentleman from Virginia.

In the committee, I believe it is pretty definitely agreed that we shall support an amendment which would exclude Members of Congress, the Cabinet, the judiciary, and high executive employees who would otherwise be subject to the raises, effective prior to enactments that occur prior to January 1, 1967. So the gentleman's objectives will be taken care of.

I yield 1 minute to the gentleman from Alabama [Mr. BUCHANAN], who has distinguished himself by his concentration on our problem.

Mr. BUCHANAN. Mr. Speaker, I merely wish to state that, with the exception of the congressional pay raise feature, about which we had an honest difference, and which we hope will be resolved in an amendment, the bill did have strong bipartisan support. I concur in the judgment of the distinguished subcommittee chairman. With the exception of the congressional pay raise feature, it is a good bill.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. BROYHILL] for 3 minutes.

Mr. BROYHILL of North Carolina. Mr. Speaker, it has been a long night. It is not my purpose to prolong the discussion. It is usual when these resolutions are being considered that some explanation of the bill be made. Tonight we do not have the time. It is late. As the gentleman from Arizona has well stated, the bill does include a pay raise for all Federal workers. The first stage in the bill as written provides a 4½ percent increase. A second stage increase is written in the bill, which is known as the automatic increase for next year. Actually, I believe no one really knows exactly how much that increase would amount to. Estimates only, are available.

The fact is, too, that no further consideration would be in order by this Congress for that second stage increase.

It is also a well-known fact that there is opposition to this piece of legislation by the administration. The views of the administration on this bill are well known.

In view of the inflationary spiral that is taking place in this country, the oppo-

sition by the administration should not be taken lightly.

As the gentleman from Virginia [Mr. SMITH] has brought out, it should be recognized by all Members that there would be an increase in the bill for Members of the Congress. There, again, the amount of the increase is not itemized.

It is also very apparent from the conversations that I have had with a number of Members and a number of pieces of mail that I have had come across my desk that there will be numerous amendments offered to the bill when it is considered in the Committee of the Whole. I only wish that we had had the time available in our discussion on this resolution to discuss, comment, and debate some of the amendments which might be offered.

It is not my purpose tonight to oppose this rule just for opposition's sake. I would hope that all Members will make it a point to study the details of the bill, read the committee report, together with the minority and additional views. This legislation should be considered when it is brought before the House, with careful deliberation. Changes that should be made should be accepted and then the entire bill voted up or down on it merits.

Mr. CORBETT. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. BROYHILL] a former member of our committee.

Mr. BROYHILL of Virginia. Mr. Speaker, I am mighty pleased to follow the gentleman from North Carolina [Mr. BROYHILL], who happens to be my cousin. On a previous occasion I have said in a joking way that I claim him as close kinfolk when we agree on what is good Federal employee legislation. When we disagree on that subject then we threaten to refer to each other as distant relatives.

Mr. Speaker, earlier this evening the gentleman from Arizona [Mr. UDALL] who happens to be a good friend of the Federal employee and has been such a great leader in the fight for good Federal employee legislation, took the floor to state that some of us on this side who objected to the procedures of today—in words to this effect—were jeopardizing the possibility of considering a Federal employees pay bill this year.

I do not question the prerogatives of the leadership in the way they want to schedule legislation. I do not question the motives of the gentleman from Arizona [Mr. UDALL]. But I do not believe it is necessary for the gentleman from Virginia or anyone else on this side of the aisle to have to defend his position on or support of Federal employee legislation.

Certainly my support of the bill for which we are considering a rule now is known. My position on parliamentary procedures earlier today has nothing to do with my position on this legislation. I believe the gentleman knows that, and the implication of the remarks made earlier today was in error.

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

I should like to say to the gentleman from Arizona [Mr. UDALL] that the rule provides for 4 hours of general debate, and the bill will be open for amendment under the 5-minute rule. This will give us ample time to consider all of the administration objections to the bill. It will give us every opportunity to amend the bill in accordance with the wishes of the House.

Therefore, I feel there is no reason in the world why this rule should not be adopted.

In view of the administration's expressed position that along with the bill this year there will be salary adjustments next year, we would all be well advised to adopt a bill this year and amend it as we see fit, and then make such adjustments next year as conditions warrant.

Is that the understanding of the gentleman from Arizona?

Mr. UDALL. I did not fully understand the inquiry of the gentleman. If he will state it again I shall be happy to comment.

The bill as written has the October 1, 1965, salary adjustment for all Federal employees; classified, postal, and others. It also has a formula raise effective October 1, 1966, a year from now. That is in the bill. I support both of those provisions in the bill.

I understand that amendments will be offered to knock out the 1966 raise. I believe there are many good arguments why those should not be stricken out. These are things we can debate, discuss, and resolve when the bill comes before the House.

Mr. CORBETT. The gentleman will agree that 4 hours of general debate, with an adequate opportunity for amendment, will make it possible for the House to work its will on these provisions, and therefore we should adopt this rule and proceed to see what the House desires to do as regards the features of the bill.

Mr. UDALL. I fully agree with the gentleman's statement.

Mr. CORBETT. Very good.

GENERAL LEAVE

Mr. UDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the resolution now before the House.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

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

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the resolution.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Mr. Speaker, is the vote on the previous question?

The SPEAKER. No. The vote is on the adoption of the resolution.

Mr. HALL. The gentleman moved the previous question and the yeas and nays were asked on that motion.

The SPEAKER. The Chair will state that the previous question was ordered by unanimous consent. Then came the question on the adoption of the resolution, and on that the gentleman from Michigan [Mr. GERALD R. FORD] asked for the yeas and nays. Is the Chair's statement correct?

Mr. GERALD R. FORD. Mr. Speaker, as I best recollect it, I believe that the Chair put the motion on the previous question.

The SPEAKER. By unanimous consent.

Mr. GERALD R. FORD. That is correct.

The SPEAKER. Then the gentleman from Michigan demanded the yeas and nays on the adoption of the resolution.

Mr. GERALD R. FORD. That is correct.

The SPEAKER. That is the matter before the House now.

The question was taken; and there were—yeas 289, nays 84, not voting 59, as follows:

[Roll No. 293]

YEAS—289

Adams	Corman	Hansen, Iowa
Addabbo	Craley	Hansen, Wash.
Albert	Cramer	Harsha
Anderson, Ill.	Cunningham	Hathaway
Anderson, Tenn.	Curtin	Hawkins
Andrews, Glenn	Dague	Hechler
Andrews, N. Dak.	Daniels	Henderson
Annunzio	Dawson	Herlong
Ashley	de la Garza	Hicks
Ayres	Delaney	Holifield
Baldwin	Dent	Horton
Bandstra	Denton	Hosmer
Barrett	Diggs	Howard
Bates	Dingell	Hungate
Battin	Donohue	Huot
Beckworth	Dow	Hutchinson
Bell	Dulski	Ichord
Berry	Duncan, Oreg.	Irwin
Betts	Dwyer	Jacobs
Bingham	Dyal	Jarman
Blatnik	Edmondson	Jennings
Boggs	Edwards, Calif.	Joelson
Boland	Ellsworth	Johnson, Calif.
Bolling	Evans, Colo.	Johnson, Pa.
Bow	Farbstein	Jones, Ala.
Brademas	Farnum	Karsten
Brock	Fascell	Karth
Brooks	Feighan	Kastenmeier
Broomfield	Findley	Kee
Brown, Calif.	Fino	Keith
Broyhill, N.C.	Flood	King, Calif.
Broyhill, Va.	Fogarty	King, N.Y.
Buchanan	Foley	King, Utah
Burke	Ford, William D.	Krebs
Burton, Calif.	Fraser	Kunkel
Burton, Utah	Frelinghuysen	Leggett
Byrne, Pa.	Friedel	Long, Md.
Cabell	Fulton, Pa.	Love
Cahill	Fulton, Tenn.	McCarthy
Callan	Garmatz	McDade
Carter	Giaimo	McDowell
Cederberg	Gibbons	McFall
Chamberlain	Gilbert	McGrath
Clancy	Gilligan	McVicker
Clark	Gonzalez	Macdonald
Clausen, Don H.	Grabowski	MacGregor
Cleveland	Gray	Machen
Clevenger	Green, Pa.	Mackay
Cohelan	Greigg	Mackie
Collier	Grider	Madden
Conable	Grover	Mathias
Conte	Gubser	Matsunaga
Cooley	Hagen, Calif.	Matthews
Corbett	Halpern	Meeds
	Hamilton	Michel
	Hanley	Miller
	Hanna	Minish
		Mink

Moeller
Monagan
Moore
Moorhead
Morgan
Morrison
Morse
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pool
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Senner
Shipley
Shriver
Sickles
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stalbaum
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Teague, Calif.
Tenzer
Thompson, N.J.
Thomson, Wis.
Todd
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watkins
Whalley
White, Idaho
White, Tex.
Widnall
Willis
Wilson, Charles H.
Wolff
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—84

Abbitt
Abernethy
Arends
Ashmore
Belcher
Bennett
Burleson
Byrnes, Wis.
Callaway
Chelf
Clawson, Del
Colmer
Curtis
Davis, Ga.
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Everett
Evins, Tenn.
Fisher
Flynt
Ford, Gerald R.
Fountain
Fuqua
Gathings
Gettys
Goodell
Gross
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Hardy
Harris
Hull
Jonas
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
Mahon
Mailliard
Marsh
Martin, Nebr.
Minshall
Mize
Morris
Nelsen
O'Neal, Ga.
Passman
Poff
Quillen
Rivers, S.C.
Rogers, Tex.
Satterfield
Scott
Selden
Sikes
Skubitz
Stanton
Talcott
Teague, Tex.
Tuck
Utt
Waggonner
Walker, Miss.
Watson
Whitener
Williams
Wilson, Bob
Younger

NOT VOTING—59

Adair
Andrews, George W.
Ashbrook
Aspinall
Baring
Bolton
Bonner
Bray
Cameron
Carey
Casey
Celler
Conyers
Culver
Daddario
Derwinski
Fallon
Farnsley
Gallagher
Green, Oreg.
Griffin
Griffiths
Harvey, Ind.
Harvey, Mich.
Hays
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kirwan
Kluczynski
Kornegay
Landrum
Lindsay
McClory
McMillan
Martin, Ala.
Martin, Mass.
May
Mills
Moss
Multer
Pirnie
Poage
Roosevelt
Ryan
Sisk
Smith, Va.
Steed
Thomas
Thompson, Tex.
Toll
Watts
Weltner
Whitten
Wright

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Keogh with Mr. Martin of Massachusetts.
Mr. Hébert with Mr. Pirnie.
Mr. Kirwan with Mrs. May.
Mrs. Kelly with Mrs. Bolton.
Mr. Celler with Mr. Adair.
Mr. Toll with Mr. Harvey of Michigan.
Mr. Culver with Mr. Martin of Alabama.
Mr. Ryan with Mr. McClory.
Mr. Kluczynski with Mr. Griffin.
Mr. Helstoski with Mr. Brady.
Mr. Fallon with Mr. Harvey of Indiana.
Mr. George W. Andrews with Mr. Ashbrook.
Mr. Daddario with Mr. Derwinski.
Mr. Mills with Mr. Smith of Virginia.
Mr. Multer with Mr. Gallagher.
Mrs. Griffiths with Mr. Thomas.
Mr. Landrum with Mr. Carey.
Mr. Casey with Mr. Baring.
Mr. Hays with Mr. Roosevelt.
Mr. Steed with Mr. Moss.
Mr. Weltner with Mr. McMillan.
Mr. Cameron with Mr. Conyers.
Mr. Kornegay with Mr. Sisk.
Mr. Aspinall with Mr. Holland.
Mr. Watts with Mrs. Green of Oregon.
Mr. Wright with Mr. Farnsley.
Mr. Johnson of Oklahoma with Mr. Whitten.
Mr. Thompson of Texas with Mr. Bonner.

Mr. HALEY and Mr. BURLESON changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK, HOUSE OF REPRESENTATIVES,
Washington, D.C., September 10, 1965.
The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 4:15 p.m., September 10, 1965, and said to contain H.R. 3329, an act to incorporate the Youth Councils on Civic Affairs, and for other purposes, and a veto message thereon.

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

INCORPORATE THE YOUTH COUNCILS ON CIVIC AFFAIRS—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H.R. 3329, a bill to incorporate the Youth Councils on Civic Affairs, and for other purposes.

The committee reports indicate that this organization had its origin in Jacksonville, Fla., in 1962, and that it was incorporated under Florida law in March 1963. Its general purposes are to promote youth activities for the good of the community and to make youth aware of their civic responsibilities. Obviously, these worthwhile purposes are not the basis of my concern with this bill.

For some time I have been concerned with the question of whether we were granting Federal charters to private organizations on a case-by-case basis without the benefit of clearly established standards and criteria as to eligibility. Worthy civic, patriotic, and philanthropic organizations can and do incorporate their activities under State law. It seems obvious that Federal charters should be granted, if at all, only on a selective basis and that they should meet some national interest standard.

Other questions indicate the desirability of further study of this matter. For example, does the granting of Federal charters to a limited number of organizations discriminate against similar and worthy organizations and possibly stifle their growth? Should federally charted corporations be more carefully supervised by an agency of the Federal Government? Does Federal rather than State chartering result in differences in the legal or tax status of the corporation, and are any differences appropriate ones?

I note that last year Congress enacted Public Law 88-504, at the recommendation of the General Accounting Office, to provide common standards of auditing and reporting for federally chartered corporations covered by title 36 of the United States Code. This reflected a concern similar to mine that proper standards and criteria be established in this area.

I hope that the Judiciary Committees will find it possible to make a comprehensive study of the questions I have outlined above. I am asking the Department of Justice and the Bureau of the Budget to explore these questions also and to make appropriate recommendations to me.

In the light of these concerns and without reflection in any way on the worthy purposes of the organization which would be incorporated by this bill, I feel constrained to withhold my approval from H.R. 3329 at this time.

LYNDON B. JOHNSON.
THE WHITE HOUSE, *September 10, 1965.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the bill and message will be referred to the Committee on the District of Columbia.

Mr. HALL. Mr. Speaker, I object.

The SPEAKER. To what does the gentleman object?

Mr. HALL. I object to the reference of the veto message to the committee.

AMERICAN YOUTH

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

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

There was no objection.

Mr. CALLAWAY. Mr. Speaker, too often these days when we think of the term "American youth," we associate it with the much publicized high school dropouts, or unkempt beatniks marching or sitting in protest of anything that will bring them attention. Unfortunately, the picture adds up to one of irresponsibility and bad judgment on the part of our youth. Mr. Speaker, this is simply not the case, for although these

elements do get the most publicity, there is another and brighter side of the coin. Throughout this country young men and women of the highest character are constantly performing jobs that contribute to the good of our Nation.

I have had an unusual opportunity to see many of these young people in action in the military. As part of the Defense Department's orientation program for freshmen Congressmen, I have had the good fortune to visit Fort Benning, Ga.; Fort Campbell, Ky.; the nuclear submarine *Nathaniel Greene;* the aircraft carrier *Wasp*; and most recently Offit Air Force Base, Headquarters of the Strategic Air Command, the North American Air Defense Command, and the Air Force Academy. On these tours I was particularly impressed to see the type of jobs being performed by young men of 18 and 19. I saw them at the controls of the submarine, launching jets off the carrier, manning the apparatus through which SAC could be alerted, and in many other tremendously responsible positions. In each case, these young men were doing excellent jobs.

America has always been proud of its youth. Yet at no time in our history could we be more proud than we are today, for despite the bad publicity of a few, the many continue to uphold the highest traditions of American citizenship.

CONFERENCE REPORT (H. REPT. NO. 978)

Mr. MILLS submitted a conference report and statement on the bill (H.R. 5768), to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn or silk.

CONFERENCE REPORT (H. REPT. NO. 979)

Mr. MILLS submitted a conference report and statement on the bill (H.R. 7969) to correct certain errors in the Tariff Schedules of the United States.

SENATE BILL AND CONCURRENT RESOLUTIONS REFERRED

A bill and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1310. An act relating to the National Museum of the Smithsonian Institution;

S. Con. Res. 46. A concurrent resolution to authorize placing temporarily in the rotunda of the Capitol the statue of the late Senator Dennis Chavez;

S. Con. Res. 47. A concurrent resolution to authorize the acceptance by Congress of the statue of the late Senator Dennis Chavez; and

S. Con. Res. 48. A concurrent resolution to print as a Senate document the proceedings of the presentation, dedication, and acceptance by Congress of the statue of the late Senator Dennis Chavez. To the Committee on House Administration.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 31 minutes a.m., Tuesday, September 14, 1965), the House adjourned until 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:

1569. A letter from the Administrator, Veterans' Administration, transmitting a report of a violation consisting of an overobligation of the amount permitted by agency regulations, pursuant to 31 U.S.C. 665(i)(2); to the Committee on Appropriations.

1570. A letter from the Assistant Secretary of the Interior, transmitting a report of tort claims paid in the fiscal year 1964, pursuant to 28 U.S.C. section 2673; to the Committee on the Judiciary.

1571. A letter from the Administrator, General Services Administration, transmitting a report of tort claims during fiscal year 1965, pursuant to title 28, section 2672, U.S.C.; to the Committee on the Judiciary.

1572. A letter from the Acting Secretary, Smithsonian Institution, transmitting a report on tort claims paid during the fiscal year 1965, pursuant to 28 U.S.C. 2673; to the Committee on the Judiciary.

1573. A letter from the Assistant Secretary of the Interior, transmitting a report of an application for a supplemental loan by the Hooper Irrigation Co., of Hooper, Utah, pursuant to section 4(c), 71 Stat. 48; to the Committee on Interior and Insular Affairs.

1574. A letter from the Acting Secretary, Treasury Department, transmitting a report of operations by Federal departments and establishments in connection with the bonding of officers and employees, for the fiscal year ended June 30, 1965, pursuant to section 14(c) (6 U.S.C. 14); to the Committee on Post Office and Civil Service.

1575. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on funds used to provide additional research laboratory space at the University of Denver, Denver, Colo., pursuant to 78 Stat. 310, 311; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of September 9, 1965, the following bill was reported on September 10, 1965:

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 10874. A bill to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce spouses' annuities by the amount of certain monthly benefits, to increase the base on which railroad retirement benefits and taxes are computed, and to change the rates of tax under the Railroad Retirement Tax Act; with amendment (Rept. No. 976). Referred to the Committee of the Whole House on the State of the Union.

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. THOMPSON of New Jersey: Joint Committee on Disposition of Executive Papers. Report pursuant to (63 Stat. 377) without amendment (Rept. No. 977). Ordered to be printed.

Mr. MILLS: Committee of conference. H.R. 5768. A bill to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk (Rept. No. 978). Ordered to be printed.

Mr. MILLS: Committee of conference. H.R. 7969. A bill to correct certain errors in the Tariff Schedules of the United States (Rept. No. 979). Ordered to be printed.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 8035. A bill to authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes; with amendment (Rept. No. 980). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 9417. A bill to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes; without amendment (Rept. No. 981). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 6515. A bill to supplement the act of October 6, 1964, establishing the Lewis and Clark Trail Commission, and for other purposes; with amendment (Rept. No. 982). Referred to the Committee of the Whole House on the State of the Union.

Mr. SELDEN: Committee on Foreign Affairs. House Resolution 560. 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; without amendment (Rept. No. 983). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H.R. 10998. A bill to continue for a temporary period the existing suspension of duty on heptanoic acid; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 10999. A bill to provide for appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

By Mr. DULSKI:

H.R. 11000. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ERLENBORN:

H.R. 11001. A bill to establish the national water resources trust fund; to the Committee on Banking and Currency.

By Mr. FINO:

H.R. 11002. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Agriculture.

By Mr. HARRIS:

H.R. 11003. A bill to amend the Communications Act of 1934, as amended, with respect to painting, illumination, and dismantlement of radio towers; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 11004. A bill to create a Small Business Capital Bank; to the Committee on Banking and Currency.

By Mr. SIKES:

H.R. 11005. A bill to amend the Hatch Act to permit all officers and employees of the Government to exercise the full responsibility of citizenship and to take an active part in the political life of the United States; to the Committee on House Administration.

By Mr. TEAGUE of Texas (by request):

H.R. 11006. A bill 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.

H.R. 11007. A bill to provide statutory authority for the Deputy Administrator of Veterans' Affairs to assume the duties of 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.

By Mrs. DWYER:

H.R. 11008. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 11009. A bill to authorize a study of methods of helping to provide financial assistance to victims of future natural disasters; to the Committee on Banking and Currency.

By Mr. TEAGUE of Texas:

H.R. 11010. A bill to transfer control of Pershing Hall to the Secretary of State; to the Committee on Veterans' Affairs.

By Mr. ASHLEY:

H.R. 11011. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. WIDNALL:

H.R. 11012. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. FINO:

H.R. 11013. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. GRABOWSKI:

H.R. 11014. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. HANSEN of Iowa:

H.R. 11015. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. MOORHEAD:

H.R. 11016. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. OTTINGER:

H.R. 11017. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. STEPHENS:

H.R. 11018. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROCK:

H.R. 11019. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. TALCOTT:

H.R. 11020. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. JOHNSON of Pennsylvania:

H.R. 11021. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. STANTON:

H.R. 11022. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. MIZE:

H.R. 11023. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. DEL CLAWSON:

H.R. 11024. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. HALPERN:

H.R. 11025. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. HARVEY of Michigan:

H.R. 11026. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. BOGGS:

H.R. 11027. A bill to provide additional assistance for areas suffering a major disaster; to the Committee on Public Works.

By Mr. KEOGH:

H.R. 11028. A bill to amend the Tariff Schedules of the United States with respect to the tariff treatment of certain waterproof cloth; to the Committee on Ways and Means.

H.R. 11029. A bill relating to the tariff treatment of certain woven fabrics of vegetable fibers (except cotton); to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 11030. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 11031. A bill to amend the Internal Revenue Code of 1954 to treat sintering or burning as a mining process in the case of shale, clay, and slate used or sold for use, as lightweight concrete aggregates; to the Committee on Ways and Means.

By Mr. ROONEY of New York:

H.R. 11032. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TODD:

H.R. 11033. A bill to amend section 18(c) of the Federal Deposit Insurance Act; to the Committee on Banking and Currency.

By Mr. ROSENTHAL:

H. Con. Res. 506. Concurrent resolution to establish a Joint Committee on Central Intelligence; to the Committee on Rules.

By Mr. DOW:

H. Con. Res. 507. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. BATES:

H. Con. Res. 508. Concurrent resolution authorizing the President to designate the 8-day period beginning October 10, 1965, as Canberra Week; to the Committee on the Judiciary.

By Mr. MOELLER:

H. Res. 577. Resolution relative to the Interstate and Foreign Commerce Committee making an investigation and study of certain policies of the Federal Communications Commission; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H.R. 11034. A bill for the relief of Clyde Bruce Aitchison, Jr.; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 11035. A bill for the relief of Eleanore W. Ward; to the Committee on the Judiciary.

H.R. 11036. A bill for the relief of Dr. Milagros Grageda Thompson; to the Committee on the Judiciary.

H.R. 11037. A bill for the relief of Adelia Augusta Fernandes; to the Committee on the Judiciary.

H.R. 11038. A bill for the relief of Mrs. Edna A. Bettendorf; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.R. 11039. A bill for the relief of Nimet Allah Odeh Elias Mashni; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 11040. A bill for the relief of Michelle Marie Kendall; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 11041. A bill for the relief of Mr. and Mrs. Imre Emil Bella, and Gustavo Bella; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 11042. A bill for the relief of Panagiota and Konstantinos Karras; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 11043. A bill for the relief of Enrique Salem; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 11044. A bill for the relief of Demetrios Kalyvis; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 11045. A bill for the relief of Semra Nurtac Demiray (Erdag); to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 11046. A bill for the relief of Michael Pons; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 11047. A bill for the relief of Hoo Sun Chang; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 11048. A bill for the relief of Matilde Bascon-Acosta; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII a petition was laid on the Clerk's desk and referred as follows:

269. The SPEAKER presented a petition of Henry Stoner, Fishing Bridge Station, Wyo., relative to increasing appropriations for housing, which was referred to the Committee on Appropriations.