a most precious resource, and we must therefore learn to preserve it, to make the best use of it for our needs, and to transfer it from areas where there is an abundance of water to areas where it is in short supply.

Let me cite to you a few facts. In the past 60 years the estimated daily use of water for all purposes has risen from 530 gallons to 1,600 gallons per person. Experts forecast this will rise to 2,200 gallons per person by 1975. Back in 1900, our total daily use of water for the entire Nation amounted to about 40 billion gallons. By 1958 this rose to 265 billion gallons, and it is estimated that by 1980 it will reach about 600 billion gallons. How much is 600 billion gallons? It is 60 times the average daily flow of the Hudson River at New York City.

In addition to flood control and water conservation, we must not overlook another very important factor—soil erosion. Rampaging rivers and swollen streams wash away thousands of tons of good topsoil from our farms, and this constitutes a type of destruction which is no less tragic. When all of this is taken together—the loss of soil, the loss of water resources so badly needed for urban and agricultural use, the destruction of property and often also of many lives—we can readily see what a staggering loss it constitutes for many sections of our country. Measured against the savings in property loss, and the benefits in recreational uses, fishing opportunities, and other benefits, the cost to the Government of projects such as the West Thompson Dam is indeed small.

I am glad that the people of this area have become aware of this problem and have had the vision and the foresight to take action to remedy this situation. All of us have a responsibility to cooperate in the effort to conserve our land and water resources. These resources constitute a basic heritage handed down to us, and it is our solemn obligation to preserve them for future generations.

In a recent statement on conservation and natural resources, President Johnson spoke of water, especially clear water, as being "a Nation's real treasure." He then added this observation:

"If future generations are to remember us more with gratitude than with sorrow, we must achieve more than just the miracles of technology. We must also leave them a glimpse of the world as God really made it, not just as it looked when we got through with it."

I feel sure that future generations will not only remember us with gratitude, but will bless us for having built this dam and preserving our resources. The West Thompson Dam is nearly a half mile long, 70 feet high, and is costing the Federal Government about $6.5 million. It has been under construction for the past two and a half years. Now that we have reached its completion, we know that we have also reached a significant milestone in the annals of northeastern Connecticut. The dangers of flooding have been substantially reduced. Our towns, villages, and farmlands are much safer today. Our land and water resources will be a blessing and will provide us with the bounty of our land, instead of being a source of devastation and destruction.

I rejoice in the fact that today we can all be proud of a job well done. This is a day in our lives when we can truly say to our people, especially to our younger generation: "Your heritage is secure. The bounty of our land is preserved." This dam that we have erected is not only a marvel of modern technology—it is a great bulwark for the safety of life and property.

And let me mention one other problem of water which has become quite serious in recent years. I refer, of course, to water pollution. There is no need for me to tell this audience about our urgent need for clean water and for control of pollution of our rivers, streams, ponds, wells, and other water resources. We are faced with a most difficult problem. On the one hand, our population is constantly expanding and as a result we have an increasing demand for fresh water supplies; on the other hand, our industries are growing and as a result the volume of waste is also increasing.

Our problem today is not a shortage of water in terms of total needs measured against total supplies. It is more a question of distribution, and of preserving and cleaning up sources which we have rendered useless through misuse. It is a crime the way in which we have permitted our streams and rivers to become almost open sewers. We should be appalled at the filth that is daily dumped into the beautiful streams that course through the woodlands, past our towns and cities and on toward the oceans. Most of our major streams are so saturated with pollution of industrial and municipal wastes that one has to have a strong stomach to even come near them—let alone to use them for any recreational activity.

We are well aware of the enormity of the problem of pollution. We all know the factors contributing to it. Unfortunately, we have not yet been able to completely solve the problem or to cope with it satisfactorily. It will still require a great deal of time, money, effort, research, and considerable patience before we can master this problem. Pollution has become a serious national problem, and may even increase in the years ahead before we are able to gain control over it.

We know that water is essential to all animal and plant life—but it is equally important to industrial and economic growth. Let me give you an idea of what water means to industry. In 1954 the principal water-consuming industries—steel, petroleum, and the like—used some 21 billion gallons per day. In 1959 it rose to 30 billion gallons, and by 1980 it will be over 50 billion gallons of water per day.

Several days ago I had a conference in my office with officials from the U.S. Department of the Interior regarding the Government's programs in water conservation and water desalinization. One high official—an Assistant Secretary of the Department—told me of a visit he made to Europe last year to study their rivers and water problems. He found that the waters of the Rhine River, which has been used for many years as a main navigational artery in Europe, run almost pure—so good, in fact, that people dip the waters from the river and use them as such without fear of becoming sick.

We must have a greater awareness in this Nation of the value of our water resources. We must reclaim the rivers and streams we have lost through pollution and return them to useable purposes. We owe this to our children and to future generations.

In conclusion, I want to express our deep appreciation to the Army Corps of Engineers and to the many fine men of the corps who worked hard to make this project—this dream of ours—a reality. We thank them for the many long hours they have put into it, their devotion, and the outstanding job for which they can feel justly proud. They have not only helped to preserve our resources, but also the beauty of our land and the safety of the inhabitants of this entire region and their dwelling places.

About 100 years ago the great New England philosopher Henry David Thoreau gazed upon the beauty of America, its bounty and its resources, and he wrote:

"It is a noble country where we dwell, fit for a stalwart race."

Let us keep it that way. Let us preserve its bounty and its resources so that those who come after us will remember us with gratitude.

SENATE

WEDNESDAY, OCTOBER 6, 1965

(Legislative day of Friday, October 1, 1965)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God of light and love—Thou who art the source and satisfaction of the deepest desires of our restless hearts—in this age obsessed with the exploration of outer space and what its secrets may hold, teach us that the true knowledge of Thee is hidden within us.

Thou hast not left thyself without witness in Thy world. Wherever truth speaks Thy voice is heard. In the lure of the lovely anywhere, everywhere, we touch the hem of Thy garment vast and white.

Even in the midst of traitorous denials which barter the highest with a betrayer's kiss, and the surrenders to the lowest which blight the deeds of men, we sense Thy eternal presence in the brave and generous attitudes of those who share with us the decisions to choose the blessing or the curse—life or death.

Thou givest us the divine option of taking the road that leads to blessing and life rich and abundant. As we survey the crying needs of our common humanity may we heed the supreme teaching of the Master of Life that strength stored for selfish ends evaporates, and that strength poured selflessly for others is multiplied as the giver gains the strength of 10 because his heart is pure.

We ask it in the name of the Holiest among the Holy who came not to be ministered unto but to minister. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, October 5, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

REPORT ON SPECIAL INTERNATIONAL EXHIBITIONS—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am transmitting the Second Annual Report on Special International Exhibitions, for the fiscal year 1964, pursuant to section 108(b) of Public Law 87-256, the Mutual Educational and Cultural Exchange Act of 1961.

This program is designed to reveal to peoples abroad the true nature and broad extent of our economic, social, and cultural attainments. These exhibitions are also designed to advance mutually profitable trade relationships.

This American know-how is presented to show how it harmonizes with the host country's own aspirations and capabilities. This is done by presenting major U.S. exhibitions at selected international fairs and expositions, or as special events, in support of American foreign-policy objectives.

This program concentrates mainly in Eastern Europe and the developing countries. Hundreds of American business and industrial firms, private institutions, and individuals cooperated with Government agencies and contributed materials, time, and talent to help insure the success of these exhibitions.

For people who yearn to learn more about us, the American pavilion is like a large picture window through which they can look and see for themselves. The steady stream of young and old, from all walks of life, flocking to our exhibitions to improve their knowledge of what America is and means is a sight not easily forgotten.

These exhibitions are a vital adjunct to our country's unceasing pursuit of peace, freedom, and human dignity for men everywhere. I am gratified by the support the Congress has given this program since it began a decade ago.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 6, 1965.*

REPORT ON INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the provisions of the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256), I am transmitting the annual report on the international educational and cultural exchange program for the fiscal year 1964.

This report suggests something of the experience of life in other lands which students, teachers, professors, lecturers, research scholars, performing artists, athletes and coaches, foreign leaders, writers, judges, doctors—indeed the whole company of the adventurous, the skilled, the searching—have shared with their counterparts abroad, since the exchange programs began two decades ago.

In those 20 years they have become an established part of our commitment to international understanding. That commitment is expressed through congressional action, through the voluntary efforts of thousands of individual citizens, through our universities and colleges, and through national and local community organizations all across the country.

I commend the report to the thoughtful scrutiny of the Congress.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 6, 1965.*

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, which were referred to the appropriate committees.

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

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Post Office and Civil Service be permitted to meet during the session of the Senate today.

Mr. KUCHEL. Mr. President, reserving the right to object, a request has been made that the minority oppose the request. I object.

The PRESIDENT pro tempore. Objection is heard.

ORDER FOR RECESS TO TOMORROW

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senate, I ask unanimous consent that when the Senate completes its business today, it stands in recess until 11 o'clock tomorrow.

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

ORDER FOR RECESS FROM THURSDAY TO FRIDAY—ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent—and this request has been cleared with the distinguished minority leader—that when the Senate completes its business tomorrow, it stand in recess until 11 o'clock Friday morning.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the motion to table, which I have announced I shall make on Friday, take place at 1 o'clock.

Mr. KUCHEL. Mr. President, reserving the right to object—and there will be no objection——

Mr. MANSFIELD. It has been cleared.

Mr. KUCHEL. It is implicit in the Senator's request that he will obtain the floor in order to make that motion?

Mr. MANSFIELD. The Senator is correct.

Mr. KUCHEL. I thank the Senator.

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

Mr. MANSFIELD. Mr. President, I have not cleared this request with the distinguished minority leader, but on my own responsibility, I ask unanimous consent that the time on Friday after the prayer and the disposition of the Journal, be equally divided between the minority leader, the Senator from Illinois [Mr. DIRKSEN] and the majority leader.

Mr. KUCHEL. Will the Senator include in his unanimous-consent request the further provision that the time under the control of both will not be affected by the rule against more than two speeches on the same day?

Mr. MANSFIELD. I shall be glad to include that in the request.

The PRESIDENT pro tempore. Is there objection?

Mr. HICKENLOOPER. Mr. President, reserving the right to object, I do not quite understand what is going on.

Mr. MANSFIELD. I announced yesterday that I would make a motion to table.

Mr. HICKENLOOPER. A motion to table is not debatable, as I understand.

Mr. MANSFIELD. That is correct. However, I wished to give each side an equal allotment of time before the motion was made on Friday, with the provision that the last 10 minutes before the motion was made be divided equally between the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and myself, at the expiration of which time I shall make the motion to table.

Mr. HICKENLOOPER. I have no objection to the Senator's making the motion, but as to the time involved, I hope the Senator will delay making his present request until we can discuss the matter with the minority leader. I believe we shall be able to clear it with the minority leader, if the Senator from Montana will delay making his request for a few minutes.

Mr. MANSFIELD. Very well.

Mr. HICKENLOOPER. I do not understand the implications of the situation at the moment.

Mr. MANSFIELD. There are no implications.

Mr. HICKENLOOPER. Of course, nothing insidious is involved. I understand that. However, I should like to clear the situation with the minority leader. I would appreciate it if the majority leader would make his request a little later.

Mr. MANSFIELD. That is a reasonable request. I withdraw that portion of the request which is now pending, until a later time.

Mr. HICKENLOOPER. As I understand, no time was set for the beginning of these remarks in the Senator's request.

Mr. MANSFIELD. Yes. The time was to begin at the conclusion of the prayer and the disposition of the Journal.

Mr. HICKENLOOPER. I am not disposed to take a position one way or another on the Senator's request. I re-

quest I should like to have it cleared with the minority leader and to have it cleared up in my own mind. I should like to fully understand the request. I thank the Senator.

Mr. MANSFIELD. That is perfectly all right. I shall clear it with the minority leader.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senators may transact routine morning business, and that statements in connection therewith be limited to 3 minutes.

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

HOSPITALIZATION OF PRESIDENT JOHNSON

Mr. MANSFIELD. Mr. President, President Johnson has done everything possible to spare the concern of the Nation and the world of his need for surgery. Nevertheless, the news that he will enter the hospital for a major operation on Friday still comes as a distinct shock to all of us.

It is most gratifying to learn that he will not be incapacitated for any great length of time and that there is every reason to expect a prompt and complete recovery. I spoke with him on the phone last night and again this morning and can advise the Senate that his attitude is excellent and most reassuring.

Every Member of the Senate, the people of the Nation, and millions throughout the world, however, will share with me the anxiety of the next few days. The President's condition will occupy our thoughts at all times. He has our prayers and good wishes. He can take comfort in knowing that in this period of his difficulty we are united in our concern for his personal welfare and we are united in our hope that he will have a rapid and thorough recovery. That is the foremost consideration in our hearts and minds at this time.

Mr. KUCHEL. Will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from California.

Mr. KUCHEL. The Senator expresses the profound feelings and prayers of the American people. Surely no words need be uttered here that his eloquent statement is reechoed in the hearts of all his fellow Senators.

Mr. MANSFIELD. I appreciate the statement of the Senator from California.

Mr. President, I yield the floor.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PLAN FOR WORKS OF IMPROVEMENT IN WISCONSIN

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, a plan for works of improvement on Plain-Honey Creek, Wis. (with an accompanying document); to the Committee on Agriculture and Forestry.

CLARIFICATION OF REEMPLOYMENT PROVISIONS OF UNIVERSAL MILITARY TRAINING AND SERVICE ACT

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes (with accompanying papers); to the Committee on Armed Services.

REPORT ON MILITARY CONSTRUCTION, AIR NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on military construction, Air National Guard (with an accompanying report); to the Committee on Armed Services.

FEDERAL SAVINGS BANK ACT

A letter from the Chairman, Federal Home Loan Bank Board, Washington, D.C., transmitting a draft of proposed legislation to authorize the establishment of Federal mutual savings banks (with accompanying papers); to the Committee on Banking and Currency.

REPORT OF FOREIGN CLAIMS SETTLEMENT COMMISSION

A letter from the Chairman, Foreign Claims Settlement Commission of the United States, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1964 (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON CONTRACTS NEGOTIATED FOR EXPERIMENTAL, DEVELOPMENTAL, OR RESEARCH WORK

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on contracts negotiated for experimental, developmental, or research work, for the 6-month period ended June 30, 1964 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF ACTING COMPTROLLER GENERAL

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on improvements to be made in administration of employee travel, Veterans' Administration, dated September 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on additional income possible by obtaining more equitable rates of interest on U.S.-owned foreign currencies, Treasury Department, Department of State, and Agency for International Development, dated September 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings through use of an oversupply of stabilator assemblies for F-4 aircraft, Department of the Navy, dated September 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on costs incurred in procuring Madrec electronic system components manufactured by Midwestern Instruments, Inc., from Lockheed Georgia Co., Department of the Air Force, dated September 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on need for improved administration of allowances paid for uniforms of cadets in the Reserve Officers' Training Corps, Departments of the Army and the Air Force, dated September 1965 (with an accompanying report); to the Committee on Government Operations.

REPORT OF FEDERAL PRISON INDUSTRIES, INC.

A letter from the Commissioner, Federal Prison Industries, Inc., Department of Justice, Washington, D.C., transmitting, pursuant to law, a report of that organization, for the fiscal year 1965 (with an accompanying report); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

ADJUSTMENT OF STATUS OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders relating to adjustment of status of certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS TO ACCORD FIRST PREFERENCE STATUS TO CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, petitions to accord first preference status to certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT OF NATIONAL COUNCIL ON THE ARTS

A letter from the Chairman, National Council on the Arts, Washington, D.C., transmitting, pursuant to law, a report of that Council, for 1964–65 (with an accompanying report); to the Committee on Labor and Public Welfare.

CONCURRENT RESOLUTION OF KENTUCKY LEGISLATURE

The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of Kentucky; which was referred to the Committee on the Judiciary:

SENATE RESOLUTION 8

Concurrent resolution applying to the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States

Be it resolved by the Senate of the Commonwealth of Kentucky (the House of Representatives concurring therein), That the general assembly respectfully applies to the

Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States.

"ARTICLE —

"SECTION 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

"SEC. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress"; Be it further

Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from this State.

HARRY LEE WATERFIELD,
President of the Senate.
SHELBY MCCALLUM,
Speaker, House of Representatives.

Attest:

JOHN W. WILLIS,
Chief Clerk of Senate.

BILLS INTRODUCED

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

By Mr. BARTLETT (for himself and Mr. GRUENING):

S. 2603. A bill for the relief of James R. Kemp; to the Committee on the Judiciary.

By Mr. HART:

S. 2604. A bill for the relief of Marcelo Canlas; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 2605. A bill for the relief of Herminia F. Tambaoan; to the Committee on the Judiciary.

By Mr. MOSS:

S. 2606. A bill for the relief of Box Elder County School District, Utah; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 2607. A bill for the relief of Mrs. Machi Miyake; and

S. 2608. A bill for the relief of Mrs. Kameo Kaneshiro; to the Committee on the Judiciary.

By Mr. MORSE:

S. 2609. A bill to amend section 302 of the Labor Management Relations Act, 1947, to broaden the permissible uses of trust funds to which employers contribute, and for other purposes; to the Committee on Labor and Public Welfare.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

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

S. 611. An act for the relief of certain employees of the Mount Edgecumbe Boarding School, Alaska;

S. 779. An act for the relief of Henryka Lyska;

S. 903. An act to amend the Communications Act of 1934, as amended, with respect to painting, illumination, and dismantlement of radio towers;

S. 1012. An act for the relief of Dr. Otto F. Kernberg;

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

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

S. 1873. An act for the relief of Mrs. Clara W. Dollar; and

S. 2273. An act to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes.

The message also announced that the House had passed the bill (S. 2118) to amend sections 9 and 37 of the Shipping Act, 1916, and subsection O of the Ship Mortgage Act, 1920, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 1516) to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the Administrator of General Services to enter into contracts for the inspection, maintenance, and repair of fixed equipment in federally owned buildings for periods not to exceed 5 years, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H.R. 9247. An act to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes; and

H.R. 10238. An act to provide labor standards for certain persons employed by Federal contractors to furnish services to Federal agencies, and for other purposes.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 7059) to amend the act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79–79(e)), to authorize such appropriations to the Smithsonian Institution as are necessary in carrying out its functions under said act, and for other purposes.

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

H.R. 969. An act to authorize redetermination under the Civil Service Retirement Act of annuities of certain reemployed annuitants;

H.R. 1240. An act for the relief of Harry C. Engle;

H.R. 1317. An act to provide for the free entry of a mass spectrometer which was imported during May 1963 for the use of Stanford University, Stanford, Calif.;

H.R. 1386. An act to provide for the free entry of one mass spectrometer for the use of Pomona College;

H.R. 1582. An act to remove a restriction on certain real property heretofore conveyed to the State of California;

H.R. 1781. An act to amend section 113(a) of title 28, United States Code, to provide that Federal District Court for the Eastern District of North Carolina shall be held at Clinton;

H.R. 2627. An act for the relief of certain classes of civilian employees of naval installations erroneously in receipt of certain wages due to misinterpretation of certain personnel instructions;

H.R. 2565. An act to provide for the free entry of one mass spectrometer for the use of the University of Chicago;

H.R. 2653. An act to provide that the U.S. District Court for the District of Connecticut shall also be held at New London, Conn.;

H.R. 3126. An act to provide for the free entry of one mass spectrometer for the University of Washington;

H.R. 3689. An act for the relief of Juanita Cereguine de Burgh;

H.R. 3875. An act for the relief of Mrs. Panagiota Vastakis and Soteros Vastakis;

H.R. 3905. An act for the relief of Bibi Daljeet Kaur;

H.R. 4743. An act for the relief of Ralph Tigno Edquid;

H.R. 4832. An act to provide for the free entry of a mass spectrometer for the use of Saint Louis University;

H.R. 4911. An act for the relief of Lt. Col. Jack F. Orend;

H.R. 5213. An act for the relief of Winston Lloyd McKay;

H.R. 5217. An act to permit the vessel *Little Nancy* to be documented for use in the coastwise trade;

H.R. 5973. An act for the relief of Edwin F. Hower;

H.R. 6590. An act for the relief of Arthur Hill;

H.R. 6655. An act for the relief of Pieter Cornelis Metzelaar;

H.R. 6666. An act to provide for the free entry of a 90-centimeter split-pole magnetic spectrograph system with orange-peel internal conversion spectrometer attached for the use of the University of Pittsburgh;

H.R. 6720. An act for the relief of Ping-Kwan Fong;

H.R. 6906. An act to provide for the free entry of one mass spectrometer and one split pole spectrograph for the use of the University of Rochester, Rochester, N.Y.;

H.R. 7169. An act to amend the Securities Act of 1933 with respect to certain registration fees;

H.R. 7446. An act for the relief of certain civilian employees and former civilian employees of the Department of the Navy at the Norfolk Naval Shipyard, Portsmouth, Va.;

H.R. 7667. An act for the relief of Donald F. Farrell;

H.R. 7919. An act to provide for the establishment of the Roger Williams National Memorial in the city of Providence, R.I., and for other purposes;

H.R. 8135. An act for the relief of Jennifer Rebecca Siegel;

H.R. 8232. An act to provide for the free entry of one mass spectrometer-gas chromatograph for the use of Oklahoma State University, Stillwater, Okla.;

H.R. 8272. An act to provide for the free entry of an isotope separator for the use of Princeton University, Princeton, N.J.;

H.R. 8829. An act for the relief of S. Sgt. Robert E. Martin, U.S. Air Force (retired);

H.R. 9495. An act to increase the appropriation authorization for the Franklin Delano Roosevelt Memorial Commission, and for other purposes;

H.R. 9903. An act to provide for the free entry of one multigap magnetic spectrograph for the use of Yale University;

H.R. 10198. An act to amend the requirements relating to lumber under the Shipping Act, 1916;

H.R. 10327. An act to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information;

H.R. 10338. An act for the relief of Joseph B. Stevens;

H.R. 10403. An act for the relief of Edward F. Murzyn and Edward J. O'Brien;

H.R. 10405. An act for the relief of Col. Donald J. M. Blakeslee and Lt. Col. Robert E. Wayne, U.S. Air Force;

H.R. 10612. An act for the relief of Capital Transit Lines, Inc., of Salem, Oreg.;

H.R. 10774. An act to amend section 302 of the Labor Management Relations Act, 1947, to broaden the permissible uses of trust funds to which employers contribute, and for other purposes;

H.R. 10779. An act to authorize the Pharr Municipal Bridge Corp. to construct, maintain, and operate a toll bridge across the Rio Grande near Pharr, Tex.;

H.R. 10878. An act for the relief of Anderson G. Matsler, senior master sergeant, U.S. Air Force, retired;

H.R. 11029. An act relating to the tariff treatment of certain woven fabrics;

H.R. 11096. An act to authorize the disposal of graphite, quartz crystals, and lump steatite talc from the national stockpile or the supplemental stockpile, or both; and

H.R. 11303. An act to amend section 18 of the Civil Service Retirement Act, as amended.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

S. 306. An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from certain motor vehicles, to authorize a research and development program with respect to solid-waste disposal, and for other purposes;

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

S. 611. An act for the relief of certain employees of the Mount Edgecumbe Boarding School, Alaska;

S. 779. An act for the relief of Henryka Lyska;

S. 903. An act to amend the Communications Act of 1934, as amended, with respect to painting, illumination, and dismantlement of radio towers;

S. 1012. An act for the relief of Dr. Otto F. Kernberg;

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

S. 1576. An act to amend the act of May 17, 1954 (68 Stat. 98), as amended, providing for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., and for other purposes;

S. 1689. An act to amend paragraph (a) of the act of March 4, 1913, as amended by the act of January 31, 1931 (16 U.S.C. 502);

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

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

S. 1873. An act for the relief of Mrs. Clara W. Dollar;

S. 2273. An act to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes;

H.R. 724. An act to authorize the transfer of certain Canal Zone prisoners to the custody of the Attorney General;

H.R. 3045. An act to authorize certain members of the Armed Forces to accept and wear decorations of certain foreign nations;

H.R. 5665. An act to authorize disbursing officers of the Armed Forces to advance funds to members of an armed force of a friendly foreign nation, and for other purposes;

H.R. 6165. An act to repeal section 165 of the Revised Statutes relating to the appointment of women to clerkships in the executive departments;

H.R. 7329. An act to provide for the conveyance of certain real property of the United States to the city of San Diego, Calif.;

H.R. 9336. An act to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba;

H.R. 9975. An act to authorize the shipment, at Government expense, to, from, and within the United States and between oversea areas of privately owned vehicles of deceased or missing personnel, and for other purposes;

H.R. 10234. An act to amend section 1085 of title 10, United States Code, to eliminate the reimbursement procedure required among the medical facilities of the Armed Forces under the jurisdiction of the military departments;

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; and

S.J. Res. 69. Joint resolution to authorize the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia to be named the James Madison Memorial Building and to contain a Madison Memorial Hall, and for other purposes.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred or placed on the calendar, as indicated:

H.R. 969. An act to authorize redetermination under the Civil Service Retirement Act of annuities of certian reemployed annuitants; to the Committee on Post Office and Civil Service.

H.R. 1240. An act for the relief of Harry C. Engle;

H.R. 1781. An act to amend section 113(a) of title 28, United States Code, to provide that Federal District Court for the Eastern District of North Carolina shall be held at Clinton;

H.R. 2627. An act for the relief of certain classes of civilian employees of naval installations erroneously in receipt of certain wages due to misinterpretation of certain personnel instructions;

H.R. 2653. An act to provide that the U.S. District Court for the District of Connecticut shall also beheld at New London, Conn.;

H.R. 3689. An act for the relief of Juanita Cereguine de Burgh;

H.R. 3875. An act for the relief of Mrs. Panagiota Vastakis and Soteros Vastakis;

H.R. 3905. An act for the relief of Bibi Daljeet Kaur;

H.R. 4743. An act for the relief of Ralph Tigno Edquid;

H.R. 4911. An act for the relief of Lt. Col. Jack F. Orend;

H.R. 5213. An act for the relief of Winston Lloyd McKay;

H.R. 5973. An act for the relief of Edwin F. Hower;

H.R. 6590. An act for the relief of Arthur Hill;

H.R. 6655. An act for the relief of Pieter Cornelis Metzelaar;

H.R. 6720. An act for the relief of Ping-Kwan Fong;

H.R. 7446. An act for the relief of certain civilian employees and former civilian employees of the Department of the Navy at the Norfolk Naval Shipyard, Portsmouth, Va.;

H.R. 7667. An act for the relief of Donald F. Farrell;

H.R. 8135. An act for the relief of Jennifer Rebecca Siegel;

H.R. 8829. An act for the relief of S. Sgt. Robert E. Martin, U.S. Air Force (retired);

H.R. 10338. An act for the relief of Joseph B. Stevens;

H.R. 10403. An act for the relief of Edward F. Murzyn and Edward J. O'Brien;

H.R. 10405. An act for the relief of Col. Donald J. M. Blakeslee and Lt. Col. Robert E. Wayne, U.S. Air Force;

H.R. 10612. An act for the relief of Capital Transit Lines, Inc., of Salem, Oreg.; and

H.R. 10878. An act for the relief of Anderson G. Matsler, senior master sergeant, U.S. Air Force, retired; to the Committee on the Judiciary.

H.R. 1317. An act to provide for the free entry of a mass spectrometer which was imported during May 1963 for the use of Stanford University, Stanford, Calif.;

H.R. 1386. An act to provide for the free entry of one mass spectrometer for the use of Pomona College;

H.R. 2565. An act to provide for the free entry of one mass spectrometer for the use of the University of Chicago;

H.R. 3126. An act to provide for the free entry of one mass spectrometer for the University of Washington;

H.R. 4832. An act to provide for the free entry of a mass spectrometer for the use of St. Louis University;

H.R. 6666. An act to provide for the free entry of a 90-centimeter split-pole magnetic spectrograph system with orange-peel internal conversion spectrometer attached for the use of the University of Pittsburgh;

H.R. 6906. An act to provide for the free entry of one mass spectrometer and one split-pole spectrograph for the use of the University of Rochester, Rochester, N.Y.;

H.R. 8232. An act to provide for the free entry of one mass spectrometer-gas chromatograph for the use of Oklahoma State University, Stillwater, Okla.;

H.R. 8272. An act to provide for the free entry of an isotope separator for the use of Princeton University, Princeton, N.J.;

H.R. 9903. An act to provide for the free entry of one multigap magnetic spectrograph for the use of Yale University; and

H.R. 11029. An act relating to the tariff treatment of certain woven fabrics; to the Committee on Finance.

H.R. 1582. An act to remove a restriction on certain real property heretofore conveyed to the State of California;

H.R. 5217. An act to permit the vessel *Little Nancy* to be documented for use in the coastwise trade;

H.R. 10198. An act to amend the requirements relating to lumber under the Shipping Act, 1916; and

H.R. 10327. An act to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information; to the Committee on Commerce.

H.R. 7919. An act to provide for the establishment of the Roger Williams National Memorial in the city of Providence, R.I., and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 9495. An act to increase the appropriation authorization for the Franklin Delano Roosevelt Memorial Commission, and for other purposes; to the Committee on Rules and Administration.

H.R. 10774. An act to amend section 302 of the Labor Management Relations Act, 1947, to broaden the permissible uses of trust funds to which employers contribute, and for other purposes; to the Committee on Labor and Public Welfare.

H.R. 10779. An act to authorize the Pharr Municipal Bridge Corp. to construct, maintain, and operate a toll bridge across the Rio Grande near Pharr, Tex.; to the Committee on Foreign Relations.

H.R. 11096. An act to authorize the disposal of graphite, quartz crystals, and lump steatite talc from the national stockpile or the supplemental stockpile, or both; to the Committee on Armed Services.

H.R. 11303. An act to amend section 18 of the Civil Service Retirement Act, as amended; placed on the calendar.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorial, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. RANDOLPH:

Statement relating to publication of the book entitled "What Now for Free China?" written by Dr. Diosdado M. Yap.

BIRTHDAY GREETINGS TO SENATOR McNAMARA

Mr. HART. Mr. President, because I was attending two long-scheduled hearings by the Parks Subcommittee of the House of Representatives, on Monday at the Sleeping Bear at Travers City in the Lower Peninsula of Michigan, and yesterday at Pictured Rocks, at Marquette the Upper Peninsula, I could not participate in the very delightful exchange which the RECORD of Monday reports. Many of my fellow Senators expressed birthday congratulations to the senior Senator from my State [Mr. McNAMARA]. I wish very much that I had been able to join, and I now echo all the good wishes and praise and affection then voiced.

In our relationships here in the Senate, I am sure that all Senators understand that no junior Senator is more fortunate than the junior Senator from Michigan, in having for his senior colleague, PAT McNAMARA.

All the good things that were spoken about him I would underline. I hope that that senior-junior relationship will continue for a long, long time. It will be to my very great personal pleasure and good fortune. In the nature of things many people confuse frequent speeches and flashy phrases for sound action and solid accomplishment.

PAT McNAMARA has not burdened the Senate with excess words. He has, however, bequeathed the Nation an impressive number of beneficial programs.

If he has not enjoyed his full share of credit, it is because in this business praise often fails to find those who do not actively seek it. And PAT McNAMARA seeks only results; he is completely indifferent to puffs that feed vanity.

But this fact remains clear: No one who takes the trouble to examine PAT McNAMARA's record can fail to be impressed with his thoughtfulness, his sencerity—and his effectiveness.

In my opinion, every citizen of America—certainly every citizen of Michigan—owes PAT McNAMARA a heartfelt "thank you."

I take this opportunity to submit mine.

CONGRESSIONAL DISTINGUISHED SERVICE AWARDS OF THE AMERICAN POLITICAL SCIENCE ASSOCIATION

Mr. KUCHEL. Mr. President, in an impressive ceremony, the American Political Science Association recently honored four of our colleagues—Senators JOHN SHERMAN COOPER and JOHN O. PASTORE, and Representatives WILLIAM McCULLOCH and WILBUR D. MILLS—for outstanding public service. All Members join in applauding these choices for the 1965 Congressional Distinguished Service Awards. Others will want to join in expressing appreciation to the sponsors of an award that, in addition to recognizing individual excellence, dramatizes and reinforces the role of the Congress in our governmental system.

The association began making such awards, first proposed by a former colleague of ours, Senator William Benton, in 1959. They have been presented every 2 years since then on a bipartisan basis, to a Republican and a Democrat from each House of Congress, under terms of a grant from the William Benton Foundation. Because their basic purpose is to recognize individual service of distinction, which might otherwise go unnoticed, it is the practice to exclude the formal leadership of both Houses from consideration for the awards. In choosing winners, a selection committee composed of college presidents and political scientists weighs the following attributes of the legislator:

Devotion to the public welfare, combined with a fine grasp of legislative skills.

Competence and effectiveness, measured in terms of concrete accomplishment.

Constructive imagination, hardheaded acumen, and the ability to harmonize national and local interests.

Worth of the individual as indicated by the respect of his colleagues.

Mr. President, each of the 1965 recipients has measured up to these rigorous standards; each has been responsive to the needs of his State or congressional district; each has worked hard to acquire the knowledge regained for effective legislative service; each has demonstrated his dedication to the public welfare.

Senator COOPER was cited for inspiring and vigorously supporting a program of aid to the Appalachian region. The citation continues:

In keeping with his own integrity and independence of mind, he was successful in his sponsorship of a select Senate committee on standards and conduct. Courtly and earnest, determined in pressing his views yet tolerant of the values of others, he is held in affectionate esteem by all with whom he has been associated—as a Senator, Ambassador to India, and Delegate to the United Nations.

Senator PASTORE was recognized as an authority on the development and application of atomic energy, who was highly persuasive in his arguments for the nuclear test ban treaty. Further, the citation states:

As a comanager of the civil rights bill in 1964, he contributed both the creative imagination and the painstaking detail work required to sustain a major legislative effort. Dynamic and unafraid, accessible and effective, he exemplifies the best traditions of elective public office.

Representative McCULLOCH was cited for his role in enactment of civil rights legislation, as follows:

Meticulous in his attention to the finer points of law, he assumed a pivotal role in development and passage of the Civil Rights Act of 1964, exercising patient skill in harmonizing widely divergent viewpoints in committee and maintaining close consultation with the Senate and the executive branch. For his demonstrated integrity, for his resoluteness of purpose—and for his gentle wit—he has the admiration and affection of his colleagues in both parties.

Representative MILLS was recognized as an authority on Government finance, as a legislative craftsman, and as a responsive committee chairman. His citation reads, in part, as follows:

In 1963 and 1964, despite continuing controversy over national economic policy, he helped to formulate and to guide toward enactment one of the most important tax reduction bills in our history. Prudent and calm under pressure, he is recognized by proponent and opponent alike for his courteous consideration of the views of all who appear before his committee.

Mr. President, presentation of the awards was a highlight of the association's 61st annual meeting, which brought some 3,000 political scientists from throughout the Nation to Washington the week of September 6–11. As I mentioned earlier in my remarks, it was an impressive ceremony. All of the 1965 award winners and several from previous years were present, including Vice President HUBERT H. HUMPHREY, a recipient of the award in 1959; former Senator Kenneth Keating, also recognized in 1959 when he was a Member of the other body; Senators GEORGE AIKEN, PAUL DOUGLAS, and LEVERETT SALTONSTALL; and Representatives RICHARD BOLLING and GEORGE MAHON.

Appropriately, the association invited Senator EVERETT DIRKSEN to represent congressional leadership, recognizing at the same time his own contributions to the quality of American life over a long and distinguished career.

While these awards go to the individual Members, it is clear that they have wider implications. They point up the fact that our free elective system produces in Congress public servants of great ability and varied talents. Similarly, they emphasize once again the fact that Congress offers a wider scope to the capacities of its Members than any other legislative body in the world. And perhaps most significantly, they call attention in a dramatic way to the vital importance of the legislative branch in our democracy.

That these educational goals are important to the Congressional Distinguished Service Award sponsors is apparent from the great dignity with which the ceremony was conducted, from the careful preparation of the citations, and from the introductory comments of Ralph K. Huitt, a noted scholar of Congress who made the formal presentation. I believe that my colleagues will be interested in Mr. Huitt's remarks as well as the complete texts of the citations. I ask unanimous consent to have this material printed in the RECORD.

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

CONGRESS IN PERSPECTIVE

(Address by Ralph K. Huitt at the Distinguished Congressional Awards Presentation, American Political Science Association, September 10, 1965)

Tonight the American Political Science Association pays tribute to Congress. It is true that not all political scientists have praised Congress all the time. I think perhaps my own experience has been shared by other members of our discipline. When I finished graduate school, I believed profoundly that the surest way to solve the problems of the American people was for the States to surrender most of their powers to the National Government and for Congress to defer to the will of the Executive. In my years as a teacher I have turned 180 degrees: I now place great value on State and local governments and I am a champion of the diversity and dispersed power represented by Congress.

Of course my sentiments may change again. The other day when the President announced my appointment to an executive office he said that Secretary Gardner was going to "feed me to Congress." Perhaps it is just as well that I talk tonight while I still love Congress.

The Congress of the United States presents a paradox.

On the one hand, it probably is the most criticized public institution in America. When it is slow to act it is called do-nothing, obstructionist, and archaic. When it moves swiftly to pass a large program of legislation, as it has this year, it still is criticized.

But today I heard a variation on the old theme. A Member of Congress was explaining why he supported the President's veto on the military construction bill. He said, "This has been a productive and creative Congress. We have passed dozens of bills and sent them down to the White House. The President has signed every one of them. He's a rubberstamp President. Now that he has taken a little initiative I think we ought to encourage him."

The paradox is that while Congress is roundly criticized it is without question one of the most successful political institutions in the world. Today Congress exercises all the powers intended for it by the framers of the Constitution. It still is a powerful and respected partner in the grand triune.

Consider what has happened to other legislative bodies in the period of the life of Congress. The House of Commons in England has conquered the Crown, reduced the House of Lords to impotence, and in turn has fallen victim to its own creature, the Prime Minister. In the same time, the French legislature has had to adapt itself, if my count is right, to three kings, two emperors, five republics, and one Charles de Gaulle.

Meanwhile, Congress has held its own. It is today the most powerful and respected representative assembly in the world.

This is not to say that Congress has not been tested. On the contrary, it has met the great tests of American history. In its lifetime we have absorbed 40 million immigrants and made them Americans. We have expanded from a tiny cluster of States on the eastern seaboard to a great continent-wide empire. From the day when the only Federal official most people ever saw was the postman, we have built a National Government which regulates and promotes the welfare of our people from the cradle to the grave. We have fought wars, survived depressions, and weathered the worst test a political system can sustain, a civil war.

Congress has met these trials with substantially the structure and procedures planned for it in the Constitution.

Those who would change the American Congress into a carbon copy of a parliamentary system ought to talk to foreign legislators. They are envious of the prestige and influence of the American Congressman. They would like to get that kind of respect for themselves at home. Last summer I sat in conference with some Canadian Members of Parliament who listened unbelieving while a minority party Member of Congress described how he had taken an idea of a constituent and in a year's time got it enacted into law.

But what has struck me about the books and articles and statements of members of parliamentary systems who want to increase respect for themselves is that they are not willing to face the facts of life. In politics, respect goes with power. Congress is powerful. Many individual Congressmen are powerful, and a few are powerful indeed.

The bases of congressional power rest, I think, on two basic principles in the American Constitution.

The first is the principle of separation of powers.

It is true that powers are not really separated in our system. Congress, the President, and the courts all share in legislation and administration in a way that defies explanation. The powers of the Federal Government are commingled among the three great branches.

What we have is not a separation of powers but a separation of institutions, of personnel. The Constitution clearly says that no Member of Congress may serve in the executive establishment and vice versa. This means that if Congress is to maintain its position as a coequal branch it must have a mechanism for independent consideration of legislation and its own sources of information. The British House of Commons can accept the statements of the bureaucracy because its own leaders are the heads of the principal departments. This is not and cannot be true of either House of Congress.

The result has been the standing committee with specialized jurisdiction. But the standing committees have come to be much more than agents for information gathering and independent consideration. They are bastions of power. They cannot be captured by the party leadership or anyone else.

Those persons who would transform Congress into a parliamentary body are correct when they assume that a centralized party leadership in Congress could only fall prey to the executive. Congress would go the way of other legislatures.

It is true that the results of a centralized power in Congress are somewhat erratic, but what is enormously important to the working of the American system is the strengthening of diversity and the provision of many points of access to people who want to try to influence their Government.

The second basic principle affecting the power of Congress is federalism.

Federalism provides a local base of power for the individual Congressman. No national party leadership can hurt him very much if his constituents are happy with him, nor help him if they are not.

The great experiment in responsible party government in our time was tried not by academic theorists but by Franklin Roosevelt, the most popular vote-getter of his time. Mr. Roosevelt presented to Democrats the reasonable proposition that if they wanted him to enact his program they should send him Democrats who would support it. He tried to purge eight Members of Congress. You remember the result: only one was defeated and there is no proof that Mr. Roosevelt caused that.

This is a lesson no practical politician in the country can fail to understand.

So it is that the Member courts his constituency. The baby books, the congratulatory letters, the favors go out in a steady stream.

Not many Congressmen will do what one friend of mine did. He got a letter at least once a week from a constituent who always found fault with him. One afternoon, at the end of a hot and frustrating day, the Congressman got a letter which ended this way: "I want you to know that if you were St. Peter I would not vote for you again." The Congressman scrawled across the bottom of the letter: "Don't worry, Buddy. If I were St. Peter you would not be in my district."

Many Members have felt that way but few would go that far. The source of the strength and independence of the individual Member is the tie he has with the people at home.

How good is Congress? The truth is no one can tell. It is not possible to extract Congress from the political system of which it is a part. It performs many of the same functions for the American people that the other branches do and these tasks are shared with political parties, interest groups, the press, and other American institutions

Moreover, we cannot devise tests to determine how effective a political institution is until we can say with confidence what services the institution performs for the whole political system. But there are political functions which Congress shares which it seems especially fitted to perform.

Like the other branches of government, it helps to resolve conflict. But sometimes it is at its best when it avoids conflict, when it postpones or evades an issue which the society is not yet ready to face. The legislature is particularly suited to give a half-loaf or to avoid action while seeming to take action.

Again, Congress furnishes catharsis for those members of society who are disaffected and cannot otherwise find relief. Individuals in the larger society whose causes cannot prevail identify with their heroes on the floors of Congress.

The "errand boy function," which has received so much criticism, actually provides a vital link between the great government in Washington and people in society. It is important for an individual to believe that he can have ready access to his government, and that he can get a speedy reply which he understands.

All this suggests, I think, that while Congress is known as a lawmaking body the actual enactment of legislation may be a relatively small function in comparison with others which it performs.

In any final casting up, it is well to remember that the representative assembly is one of the great creations of freemen and that its historic mission is not efficiency in government but the maintenance of freedom. Measured against the tests of American experience, Congress has performed this mission very well.

JOHN SHERMAN COOPER: 1965 CONGRESSIONAL DISTINGUISHED SERVICE AWARD CITATION

Unwavering in faith in his fellow man, compassionate and innovative, JOHN SHERMAN COOPER is both a perceptive statesman and a capable servant of his constituents.

Alert and responsive to the needs and interests of his State and section, his outlook is nonetheless essentially national and international. Consonant with his deep concern for the less fortunate, he inspired and vigorously supported a program of aid to the Appalachian region. In keeping with his own integrity and independence of mind, he was successful in his sponsorship of a select Senate committee on standards and conduct. Courtly and earnest, determined in pressing his views yet tolerant of the values of others, he is held in affectionate esteem by all with whom he has been associated—as a Senator, Ambassador to India, and delegate to the United Nations.

The American Political Science Association takes great pleasure in presenting this

Congressional Distinguished Service Award to JOHN SHERMAN COOPER, Republican, of Kentucky—a candid and friendly individualist, versatile intellectual, and distinguished statesman whose honesty and foresight reflect credit on our freely elected legislative institutions.

JOHN O. PASTORE: 1965 CONGRESSIONAL DISTINGUISHED SERVICE AWARD CITATION

With his flair for pungent and informed expression, JOHN O. PASTORE consistently enlivens—and enlightens—debate of public policy issues in the U.S. Senate.

One of the truly great orators in Congress, he substitutes frankness for cant and confronts illusion with fact, delineating alternative courses of action and pointing up their implications for future generations of Americans. An acknowledged authority on the development and application of atomic energy, he was highly persuasive in his arguments for the nuclear test ban treaty. As a comanager of the civil rights bill in 1964, he contributed both the creative imagination and the painstaking detail work required to sustain a major legislative effort. Dynamic and unafraid, accessible and effective, he exemplifies the best traditions of elective public office.

The American Political Science Association takes great pleasure in presenting this Congressional Distinguished Service Award to JOHN O. PASTORE, Democrat, of Rhode Island—a constructive partisan, forceful advocate, and tenacious legislator whose diligence brings our Nation ever nearer to the realization of our democratic ideals.

WILLIAM M. MCCULLOCH: 1965 CONGRESSIONAL DISTINGUISHED SERVICE AWARD CITATION

Without fanfare and unmindful of the exigencies of narrow partisan advantage, WILLIAM M. MCCULLOCH works tirelessly and effectively to improve the quality of American life.

Consistent with his commitment to basic constitutional principles, he seeks to maintain the delicate balance between individual freedom, State responsibility, and Federal action. Meticulous in his attention to the finer points of law, he assumed a pivotal role in development and passage of the Civil Rights Act of 1964, exercising patient skill in harmonizing widely divergent viewpoints in committee and maintaining close consultation with the Senate and the executive branch. For his demonstrated integrity, for his resoluteness of purpose—and for his gentle wit—he has the admiration and affection of his colleagues in both parties.

The American Political Science Association takes great pleasure in presenting this Congressional Distinguished Service Award to WILLIAM M. MCCULLOCH, Republican, of Ohio—an unassuming scholar of the law, master of technical detail, and champion of human rights who has given his State and Nation more than 30 years of honorable and constructive service.

WILBUR D. MILLS: 1965 CONGRESSIONAL DISTINGUISHED SERVICE AWARD CITATION

Scrupulously fair and superbly skillful in committee, articulate and informed on the House floor, WILBUR D. MILLS is universally respected as a legislative craftsman.

Unrelenting in his attention to the details of public policy, he has initiated and shaped programs affecting the welfare of all Americans—in the fields of taxation, tariff and trade policy, debt management, social security, and health care. In 1963 and 1964, despite continuing controversy over national economic policy, he helped to formulate and to guide toward enactment one of the most important tax reduction bills in our history. Prudent and calm under pressure, he is recognized by proponent and opponent alike for his courteous consideration of the views of all who appear before his committee.

The American Political Science Association takes great pleasure in presenting this Congressional Distinguished Service Award to WILBUR D. MILLS, Democrat, of Arkansas—a conscientious legislator, authority on Government finance, and responsive committee chairman whose sense of dedication is of inestimable value to the Nation.

THE CALIFORNIA REPUBLICAN LEAGUE

Mr. KUCHEL. Mr. President, following the 1964 election, a group of concerned Republicans gathered together to create a new volunteer organization with which those Republicans who wish a forward-looking party could affiliate themselves. This organization, the California Republican League, has been working actively now for almost half a year. More than 50 chapters have been formed throughout the State. Several thousand Republicans have joined.

The California Republican League was not designed to back any particular candidate or candidates. Rather, it was established in order to provide a vehicle for discussion and for action for those Republicans who desire to rebuild their party—and thus revitalize the two-party system—so that it can meet effectively and realistically at the local, State, and National levels, the very real challenges which exist today.

On August 28, 1965, the President's Council of the CRL met and adopted various resolutions relating to issues which should be of concern to all Californians.

I ask unanimous consent to have a set of these resolutions printed in the RECORD.

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

JOHN BIRCH SOCIETY

Whereas, the John Birch Society in structure and in practice is a monolithic society; and

Whereas such a structure is a violation of the basic political philosophy of the United States of America and a repugnant growth on the body politic; and

Whereas the president and founder of the John Birch Society has stated "the men and women who join the John Birch Society during the next few months or few years are going to do so primarily because they believe in me"; and

Whereas the president of the John Birch Society has attacked the Civil Rights Act of 1965 as being Communist inspired; and

Whereas the president and founder of the John Birch Society has declared "the two sides to every question bit is folly-nonsense" contravening the basic philosophy of our American system of debate and compromise: Be it hereby

Resolved, That the California Republican League reaffirms its premise that there is no compatibility in membership of the Republican Party and the stated philosophy of the John Birch Society and reaffirms its intention to exclude John Birch Society members from the California Republican League.

CIVIL RIGHTS

Whereas the Republican Party is the traditional champion of civil rights;

Whereas the seeds of racial hatred, discrimination and frustration, however inspired, are a continuing plague to all elements of society;

Whereas a solution, in contrast to prolonged and aggravated frustrations, requires a responsible combination of governmental and private efforts;

Whereas the disastrous consequences of recent racial disturbances attest to the compelling need for biracial rapprochement between the Caucasian and minority communities;

Whereas the ambitions of minority peoples to compete fairly and evenly for jobs and housing represent a political and social challenge to which the Republican Party dedicates its every energy;

Whereas the unity of social legislation and private citizen involvement is necessary for expansion of minority opportunity and elimination of racial discrimination:

Resolved, That the California Republican League unqualifiedly endorses the enactment of the Civil Rights Acts of 1964 and the Voting Rights Act of 1965 and urges that vigorous steps be taken by the Department of Justice to implement same, and that Senators KUCHEL and DIRKSEN be commended for their vigorous leadership in the passage of this legislation.

EXTREMISM

Whereas the Republican Party has always advocated the free exchange of ideology and philosophy within the total political spectrum; and

Whereas such free debate and compromise is the hallmark of responsible Americanism; and

Whereas the abuse of this basic tradition is becoming manifest by extremist political splinter groups of the left and right, utilizing the established party labels; and

Whereas such irresponsible acts, statements and attacks on American traditions, institutions, and loyal citizens is totally improper and reprehensible: Therefore, be it

Resolved, The President's Council of the California Republican League condemns such actions, and those who perpetrate them, without reservation, regardless of political label or position within the political spectrum.

DEMOCRATIC LEADERSHIP

The sorry spectacle of the 1965 legislative session under the Democratic leadership in Sacramento is a blight upon the greatest State in the Nation. The floundering indecision of Governor Brown and his administration cries out for new leadership in the statehouse. Juggling of public funds, budget manipulations, constantly rising taxes, a soaring crime rate, an utter lack of a constructive program in any field, and a bitter power feud between Democratic leadership in the legislature and the administration cripple California.

Republican legislative leadership has pointed the way to returning California to the road of progress. Republican legislators produced constructive programs to fight crime, trim the budget, and approach social welfare needs in an effective manner, and hold the line on taxes. We commend the Republicans in the assembly and senate who fought for fiscal sanity and public safety.

BRACEROS

The abolition of the bracero program places upon the Federal Government a solemn obligation to see to it that the promise is redeemed that there will be enough workers to harvest California's fruit and vegetables at prices which the consumers can afford to pay.

The California Republican League is dismayed at the mishandling of California's agricultural problems by the Democratic National and State administrations and commends Senator GEORGE MURPHY for his untiring efforts to protect California's vital agricultural industry.

LT. GOV. GLEN ANDERSON

We call upon Lt. Gov. Glen Anderson to explain the inordinately long delay before responding to a formal request to send the National Guard into the riot-torn Los Angeles area.

POVERTY PROGRAM

We agree with the concept that poverty in America must be eliminated by a coordinated program; however, the administration's presently ill-defined and uncoordinated efforts are wide open to abuse as a patronage vehicle for Democratic officeholders. The spoils system abolished some 85 years ago by the establishment of the civil service by a Republican administration appears to have its revival under the guise of helping the poor. A true poverty program should be as nonpartisan as poverty itself.

STATE CENTRAL COMMITTEE APPOINTMENTS

Whereas the California Republican League believes in recognizing Republican candidates who have been elected by the voters in their districts; and

Whereas the California Republican League believes in an even closer and more responsible relationship between the State central committee and county central committees:

The California Republican League calls upon the California State Legislature: (1) to retain the present provision in the election code which permits each incumbent legislator to appoint eight members to the State central committee, and (2), to amend the election code to permit each county chairman to appoint one member to the State central committee.

SO-CALLED LIBERTY AMENDMENT

The provisions of the proposed so-called liberty constitutional amendment are not in keeping with Republican principles of fiscal responsibility. This is a proposal to completely repeal the income tax. This is not to condone all present or proposed administration expenditures, but in addition to the recent tax reductions and repeals at the Federal level, we especially want reform of the present internal revenue code. (Submitted by the Beverly Hills Chapter.)

VIETNAM

The involvement of the United States in the Vietnamese struggle for freedom is one of the most crucial issues facing the American people today. Its outcome will affect the fate of free people everywhere. As the leaders of the free world, the burden of its defense must necessarily rest with us.

The California Republican League joins with the leaders of the Republican Party in Congress in vigorously affirming its support of the President in his decision to remain in Vietnam until the Communist forces withdraw and permit the South Vietnamese to choose freely their own form of government.

We recognize the necessity for free debate of our Vietnam policy as of any other policy of our Government, but cannot condone the neo-isolationism echoed by a number of prominent Democrats who would rather accept a Far Eastern Munich than face America's obligations as a bulwark of the free world.

IMMIGRATION REFORM BILL

Whereas it is well known that our present immigration laws discriminate in favor of northern Europe; and

Whereas this is done by means of a national origins quota system which caused about 70 percent of the U.S.-bound immigrants to come from northern Europe: Therefore, be it

Resolved, That the California Republican League go on record as opposing the national origins quota system and supporting the immigration reform bill which is now before the Congress. (Submitted by the Orange County Chapter.)

ANNUAL SESSIONS OF LEGISLATURE

Whereas the California Legislature is faced with an annual consideration of a complex budget in excess of $4 billion; and

Whereas the problem of California education, water, highways, urban transportation, taxes and the like are in need of continuous study; and

Whereas the continuation of a "half time" legislature, expecting to attract the highest quality of men to its service with a "half time" salary, is unworthy of the Nation's largest State: Now therefore, be it

Resolved, That the President's Council of the California Republican League meeting at the Madonna Inn in San Luis Obispo on August 28, 1965, support the concept of and encourage introduction of legislation designed to effect annual sessions of the California Legislature, together with adequate compensation for the members commensurate with the responsibilities imposed upon them. (Submitted by the San Fernando Valley Chapter.)

CONSERVATION

Resolved, That the preservation of the natural beauty of California should be a primary goal of California's State government. The selection of highway routes, major utility transmission lines and new public construction projects deserve and require consideration of an independent State advisory commission, charged with the sole mission of preserving the beauty of California and the amenities of its natural environment and climate. The time is past when various State agencies charged with construction projects can be left with untrammeled discretion. With 600,000 new people coming into California each year, conservation has become one of the primary responsibilities of government. The Democratic leadership has talked, but not acted. We propose the establishment of a statewide conservation commission, made up of engineers, planners and conservationists. Such commission shall be given cognizance over all improvement projects, and shall sit as a board of mediation in disputes between State and local governments, thereafter submitting its recommendations to the Governor.

LABOR STATESMANSHIP HOLDS DOWN THE COST OF LIVING

Mr. PROXMIRE. Mr. President, as we discuss the repeal of section 14(b) of the Taft-Hartley Act, I am sure that there will be expressions on both sides of the question concerning the contribution which labor has made to price stability, or, on the other hand, to inflation.

In my judgment labor has made a constructive contribution to price stability, particularly in recent years.

I cite the evidence contained in the Monthly Labor Review for September 1965, published by the U.S. Department of Labor, Bureau of Labor Statistics, which states in part:

Over the last 5 years, 1959–64, for example, compensation per man-hour rose at an annual rate of 3.5 percent, substantially lower than the almost 6-percent-per-year gain over the previous 12 years and the 5-percent rate for the period as a whole. Over the same 5-year period, output per man-hour rose at a substantially higher rate (3.2 percent) than the 2.4-percent rate for the previous 12 years of the postwar period and the rate for the period as a whole.

The interplay of these patterns of growth has resulted in a rather distinct break in the direction of the postwar trend in unit labor costs. From a 3.2-percent annual rise in the first part of the period, the growth in unit labor costs changed to virtual stability in the latter part of the period—

In other words, the growth in unit labor costs has stopped. It has not contributed at all toward inflation over the past 5 or 6 years.

This is in part because of the wage-price guidelines which the administration has urged successfully upon labor and the administration deserves great credit for this success. But this positive contribution to price stability also is the result of labor's fine statesmanship, its remarkable recognition of how important unit labor costs are as a contribution toward price stability. After all this is a period of growing labor shortages among skilled workers that unions could have exploited to pressure up wages as sharply as they rose in the early part of the 1950's.

Let me also point out that the improvement in efficiency in this country is partly a result of depreciation guidelines and the other modernizing incentives which the administration has succeeded in getting through Congress—which this Congress and previous Congresses have enacted into law.

This unit labor cost stability is of great advantage to us in our balance of payments and in trade with the rest of the world.

And, Mr. President, an article published in the Monthly Labor Review which follows the one to which I have just referred, affirms and documents this labor contribution and I quote briefly from this Labor Review article:

From the standpoint of labor cost per unit of output, American manufacturers are now in a significantly better competitive position vis-a-vis foreign producers than they were in the late 1950's. This conclusion emerges from the most recent Bureau of Labor Statistics unit labor cost study covering trends in nine industrialized nations, and it takes account of changes in exchange rates in four of the countries.

Examining trends since 1950, the Bureau found that unit labor cost in manufacturing moved moderately upward over the entire period in six Western European countries, slowed considerably between 1957 and 1964 after early gains in the United States and Canada, and showed little net rise in Japan.

Mr. President, I ask unanimous consent to have these two articles, one entitled "Unit Labor Cost in Nine Countries," and the other "Cost Trends in Nine Industrial Nations," printed in the RECORD.

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

UNIT LABOR COST IN NINE COUNTRIES—TWO RELATED STUDIES THAT EXAMINE RECENT TRENDS IN THE RATIO OF OUTPUT TO LABOR PAYMENTS

I. RECENT UNIT COST TRENDS IN U.S. MANUFACTURING

(By Jerome A. Mark and Elizabeth Kahn, of the Office of Productivity and Technological Developments, Bureau of Labor Statistics)

An examination of productivity series prepared earlier this year by the Bureau of Labor

Statistics and related data on compensation of employees discloses that unit labor costs in U.S. manufacturing have remained almost completely stable during the latter part of the period since World War II. This stability has been especially marked during the past 5 years, contrasting with substantial increases that occurred during the first part of the period. The change in the direction of this trend has accompanied greater-than-average increases in productivity and less-than-average increases in hourly compensation for all employees. For production workers, the change has been the result of declines in the rate of increase in hourly compensation.[1]

This article describes the new data that support such conclusions and discusses unit labor cost trends.

The new BLS series of indexes of output per man-hour in U.S. manufacturing[2] forms part of a consistent set of indexes covering the total private economy and the major sectors—agriculture, nonagriculture, manufacturing, and nonmanufacturing. The manufacturing series had not been published for several years pending the development of new output data.[3]

In the productivity-employee payments relationship, compensation of employees can be considered from two viewpoints—as a cost of production and as income of labor.[4] As a cost of production, the trend in employee compensation per hour can be compared with the trend in output per man-hour to determine what has happened to unit labor costs. Wage and salary increases (including fringe benefits) represent increases in unit labor costs only to the extent they are not met by comparable increases in output per man-hour. As costs, they are one component of the price of manufactured output. As income to labor, the trend in employee compensation per hour adjusted to reflect real purchasing power can be compared with the trend in output per man-hour to determine whether increases in real earnings have kept pace with productivity gains. The data are examined here from both viewpoints.

Labor costs

All employees: Over the entire postwar period 1947–64, compensation per man-hour of all employees in manufacturing rose at a rate of 5 percent per year.[5] All employee output per man-hour, on the other hand, rose half that amount. Employee compensation per unit of output (unit labor costs), the ratio of these two elements, therefore, also rose at a rate of 2.5 percent per year (table 1).

The overall relationships, however, conceal diverse movements of hourly compensation, hourly output and, hence, unit labor costs within the period.

Over the last 5 years, 1959–64, for example, compensation per man-hour rose at an annual rate of 3.5 percent, substantially lower than the almost 6-percent-per-year gain over the previous 12 years and the 5-percent rate for the period as a whole. Over the same 5-year period, output per man-hour rose at a substantially higher rate (3.2 percent) than the 2.4-percent rate for the previous 12 years of the postwar period and the rate for the period as a whole.

TABLE 1.—*Average annual rates of change in output per man-hour, hourly compensation, and unit labor costs in manufacturing for selected years* [1]

Item	1947–64	1947–59	1959–64
Consumer Price Index	1.8	2.0	1.2
Output per man-hour—total private economy	3.0	3.1	3.3
MANUFACTURING			
Output per man-hour:			
All employees	2.5	2.4	3.2
Production workers	3.3	3.3	3.4
Nonproduction workers	−.4	−.0	2.5
Compensation per man-hour—current dollars:			
All employees	5.0	5.7	3.5
Production workers	4.7	5.5	3.2
Nonproduction workers	4.5	4.8	3.6
Real compensation per man-hour:			
All employees	3.2	3.6	2.2
Production workers	2.9	3.4	2.0
Nonproduction workers	2.7	2.8	2.3
Unit labor costs:			
All employees	2.5	3.2	.2
Production workers	1.4	2.1	−.2
Nonproduction workers	4.9	5.9	1.0

[1] All rates computed from the least squares trend of the logarithms of the index numbers.

The interplay of these patterns of growth has resulted in a rather distinct break in the direction of the postwar trend in unit labor costs. From a 3.2-percent annual rise in the first part of the period, the growth in unit labor costs changed to virtual stability in the latter part of the period—particularly over the last 5 years when the rate was 0.2 percent per year.[6]

If other groups of years were examined, the same general conclusions about a sharp decline in the rate of growth in unit labor costs in the latter part of the period as compared with the earlier years would appear. From 1957–64, for example, unit labor costs rose at a rate of 0.6 percent per year; from 1960–64, they declined at a rate of 0.3 percent.

Annual and cyclical variations in the movement of unit labor costs also seem to have undergone some change. The years 1947–60 were characterized by brief periods of rapid increases and decreases in unit labor costs. (See table 2.) Unit labor costs increased sharply every year, however, during the 4-year period 1950–54 (Korea and business downturn). In contrast, the 1960–64 period has been marked by relative cost stability, with very small increases in 2 of the years and decreases in the other 2 years.

Production workers and nonproduction workers: The trend in the measures for all employees results from differential movements for production workers and for nonproduction workers, the two major groups of employees for which data are available.[7]

There was a small rate of increase in the man-hours of all employees over the postwar period as a whole—0.6 percent per year. This small overall rate, however, obscures vastly different trends in production worker and nonproduction worker man-hours and employment. Over the period as a whole, the man-hours of production workers actually declined slightly—at an annual rate of 0.2 percent. The man-hours of nonproduction workers, on the other hand, increased 3.4 percent per year. In 1947, 4 out of every 5 employees in manufacturing (84 percent) were production workers; in 1964, the ratio had declined to 3 out of 4.

As an outcome of this change in the composition of the work force, the annual rate of growth of output per man-hour for production workers is substantially higher (3.3 percent) than that for all employees for the postwar period as a whole. Output per man-hour for nonproduction workers declined slightly—at a rate of 0.4 percent per year.[8]

In contrast to the divergent rates in productivity of the two groups of employees,

[1] In recent years, much of the interest in productivity has been with regard to its relation to labor costs. Unit labor costs, which refer to all payments for labor including wages and salaries plus legally required and voluntary supplements per unit of output, reflect the relationship between hourly compensation to labor and hourly output (productivity).

[2] See "Indexes of Output Per Man-Hour for the Private Economy," 1947–64 (BLS release, Jan. 29, 1965).

[3] For these productivity indexes, output is defined as the constant dollar gross national product originating in the sector and the man-hours are primarily payroll hours based on establishment reports. For a detailed description on the methods used for deriving these measures, see "Trends in Output Per Man-Hour for the Private Economy, 1909–1958" (BLS Bulletin 1249).

[4] Compensation includes wages and salaries of employees plus contributions of employers to social security programs, private health, welfare, and pension funds, and additional minor items of labor income.

[5] This rate, and all others in this article, was computed on the basis of the least squares of the logarithms of the index numbers.

[6] This unit labor cost series is derived from a productivity measure based on constant dollar gross national product originating in manufacturing, which is consistent with measures of output per man-hour for the private economy and other major sectors. The compensation data were derived from the same source as the output data and, therefore, are consistent with the GNP measures of output. Unit labor cost measures based on the Federal Reserve Board index of manufacturing production show significant differences from the measures presented here both in particular years and over several years. In part, they reflect conceptual differences and in part statistical differences. Both series, however, show the same general pattern of growth with a sharp gain in unit labor costs in the early part of the period and either stability or a small decline over the last 5 years. The FRB-based measures show an average annual gain of 1.6 percent over the period as a whole and 2.4 percent from 1947–59 with a decline of 0.3 percent per year from 1959–64.

[7] Production workers include all nonsupervisory workers (including working foremen) engaged in fabricating, processing, assembling, inspecting, receiving, storing, handling, packing, warehousing, and shipping; also workers engaged in maintenance, repair, janitorial and watchmen services, product development, and auxiliary production for a plant's own use (e.g., powerplant), and recordkeeping and services immediately associated with these production operations. Nonproduction workers include persons engaged in executive, purchasing, finance, accounting, legal, personnel, cafeterial, medical, professional, and technical activities; sales, sales delivery, advertising, credit, collection, installation, and servicing of the firm's own products; routine office functions, factory supervision, and force-account construction.

[8] Since nonproduction workers are a smaller element of the work force, their output per man-hour movements are subject to more fluctuations and a wider margin of error of measurement.

compensation per man-hour of production workers and nonproduction workers experienced virtually the same rates of increase (4.7 and 4.5 percent, respectively) over the period 1947–64 as a whole.[9]

The rate of gain in hourly compensation for all employees was higher than that for either of the two groups, as can be seen in table 2. This took place because changes in hourly compensation of all employees reflect both changes in hourly compensation of production workers and nonproduction workers as well as shifts in the relative importance of the two groups with different levels of hourly compensation. Since nonproduction workers, with a higher level of hourly compensation, increased as a proportion of total employment, the rate of change for all employees was higher than the two component rates. The effect was not important, however, because, over the whole period, the rate of increase in the hourly compensation of each of the two groups of workers accounted for 94 percent of the rate of increase in hourly compensation for all employees, and the shift in composition only 6 percent.[10]

Since output per man-hour for production workers rose more than for all employees and hourly compensation rose slightly less over the postwar period as a whole, unit labor costs for production workers increased at a much smaller rate than for all employees—a little under 1½ percent per year. Unit labor costs for nonproduction workers, on the other hand, showed an annual increase of almost 5 percent, reflecting the decline in productivity and rise in hourly compensation.

TABLE 2.—*Indexes of output per man-hour, compensation per man-hour, and unit labor costs in manufacturing, 1947–64*

[1957–59=100]

Item	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964
Output per man-hour:																		
All employees	75.2	78.3	82.0	85.3	87.2	88.3	89.5	91.0	96.8	95.1	97.7	99.1	103.3	103.8	106.7	112.6	115.3	119.5
Production workers	68.1	71.6	76.4	78.6	80.8	83.1	84.5	88.0	92.9	92.3	96.5	100.3	103.4	105.0	109.1	114.3	117.3	121.3
Nonproduction workers	111.0	109.8	105.7	116.5	115.6	110.0	109.8	102.1	111.7	105.2	101.6	95.4	102.8	100.1	99.9	107.5	109.2	114.5
Compensation per man-hour in current dollars:																		
All employees	53.2	58.4	60.9	63.9	70.4	74.8	79.1	82.2	85.3	90.7	96.1	99.9	104.0	108.1	111.5	115.7	119.5	123.3
Production workers	53.7	59.5	61.6	65.3	72.1	76.5	81.0	83.2	86.1	91.1	96.9	100.2	103.1	107.1	109.3	113.1	117.4	121.2
Nonproduction workers	60.2	62.9	65.0	67.8	73.4	76.6	80.1	83.4	88.1	93.3	96.1	98.0	105.7	108.9	113.3	118.8	121.2	125.5
Real compensation per man-hour:																		
All employees	68.4	69.7	73.4	76.3	77.8	80.9	84.9	87.8	91.4	95.8	98.1	99.2	102.5	104.8	107.0	109.8	112.0	114.1
Production workers	69.0	71.0	74.2	77.9	79.7	82.7	86.9	88.9	92.3	96.2	98.9	99.5	101.6	103.9	104.9	107.3	110.0	112.1
Nonproduction workers	77.4	75.1	78.3	80.9	81.1	82.8	85.9	89.1	94.4	98.5	98.1	97.3	104.1	105.6	108.7	112.7	113.6	116.1
Unit labor costs:																		
All employees	70.7	74.6	74.3	74.9	80.8	84.7	88.3	90.4	88.1	95.4	98.4	100.8	100.8	104.2	104.5	102.8	103.7	103.1
Production workers	78.9	83.1	80.5	83.0	89.3	92.1	95.8	94.6	92.7	98.7	100.4	99.9	99.7	102.0	100.2	99.0	100.1	99.9
Nonproduction workers	54.2	57.2	61.5	58.2	63.5	69.6	72.9	81.7	78.9	88.7	94.6	102.7	102.9	108.8	113.4	110.6	111.1	109.6

Sources: Output and compensation data 1947–63 from the Office of Business Economics, Department of Commerce. 1964 estimates derived by the Bureau of Labor Statistics. Compensation of production, workers and nonproduction workers estimated by the Bureau of Labor Statistics based on data from the Office of Business Economics, Bureau of the Census, and the Bureau of Labor Statistics. Man-hours and Consumer Price Index data from the Bureau of Labor Statistics.

Although there was a shift in composition in the work force over the period as a whole, the bulk of that shift occurred in the first part of the period. Since 1959, the proportion of production workers has remained practically stable, fluctuating closely around the 75-percent level from year to year. As a result, the average annual rates of increase in output per man-hour for production workers and for all employees, over the last 5 years, have been very close—3.4 and 3.2 percent, respectively.

For production workers, the rate of gain in output per man-hour has been virtually the same measured over the last 5 years, over the previous 12 years, or the period as a whole. In contrast, the growth pattern for all employees, as mentioned earlier, rose faster over the later years.

Corresponding rates for nonproduction workers have been very unstable. During the last 5 years, output per man-hour for nonproduction workers gained 2½ percent per year in contrast to the decline of 1 percent per year over the previous 12 years.

The growth pattern of hourly compensation for production and nonproduction workers has also varied within the period. For production workers, hourly compensation rose about 3 percent per year from 1959–64—a little over half the rate for the previous 12 years. Similarly, later rates for nonproduction workers were substantially lower than for the earlier period.

Unit labor costs for production workers, therefore, actually fell slightly throughout the last 5 years, at a rate of 0.2 percent per year, as against the previous annual gains of over 2 percent. Since productivity maintained the same rate of increase, this change in direction was primarily a reflection of the decline in rate of increase in hourly compensation. For nonproduction workers, the rate of increase also was considerably less in the latter part of the period. In this case, however, the smaller rate of increase in unit labor costs resulted from both the relatively higher gains in productivity and the somewhat lower rate of increase in hourly compensation.

Real labor payments

Dividing the indexes of hourly compensation by the Consumer Price Index provides a measure of hourly compensation in constant 1957–59 purchasing power or real hourly compensation.[11] The concept of real compensation per man-hour is useful in ascertaining whether labor income is keeping pace with productivity growth. The question is often posed in terms of the total private economy. Hence, changes in the real income of all employees in the private economy are related to changes in productivity of the private economy. Over the long run, real compensation per man-hour and output per man-hour for the economy as a whole should have moved together. And, in fact, they have. It does not necessarily follow, however, that the real compensation per man-hour for individual components of the labor force should move precisely the same way as the productivity of the private economy. Some variation may be expected among different groups and sectors. The following sections examine the changes in real compensation per man-hour of manufacturing employees in relation to the movements of the productivity of the total private economy.

The productivity of the private economy is used as the basis of comparison because changes in real compensation per man-hour reflect changes in consumer prices as well as changes in hourly earnings and fringes. Gains in productivity for the whole economy, rather than manufacturing alone, affect the prices of consumer goods.

All employees: As can be see in table 2, the overall increase in income to labor in real terms very closely matched the overall gain in productivity for the postwar period as a whole.

Within the period, however, divergent movements again occurred. Real compensation per man-hour rose at an annual rate of a little over 2 percent for the last 5 years. The less-than-average increase in money compensation was further reduced by the 1-percent-per-year rise in consumer prices. Real hourly compensation did not keep pace with the greater-than-average advance in productivity for the private economy—3.3 percent per year. In contrast, during the earlier part of the period, real compensation per man-hour increased at a rate of over 3½ percent per year and productivity about 3 percent. Although the consumer price index rose almost twice as fast as it did later, hourly compensation still exceeded the gain in productivity.

[9] Separate estimates of compensation of production workers and nonproduction workers 1947–58 were based on wages and salaries and supplements published in the May 1962 "Survey of Current Business." For the years 1959–63, wages and salaries were derived in 3 steps: (1) OBE full-time equivalent employees data were distributed between wage and salaried workers on the basis of BLS proportions of production-nonproduction workers; (2) average annual earnings of the 2 groups were derived from the Census Bureau data on payrolls and number of employees; (3) the difference between total payrolls derived from step (1) and (2) and the published total wages and salaries were allocated proportionately between wages and salaries. The 1964 estimates are extrapolations, based primarily on wages and salaries from the "Survey of Current Business" and production workers payrolls from BLS.

Compensation data were based on wages and salaries and supplements. The supplements were distributed proportionately between wages and salaries and added to wages and salaries. In this article, wages refer to earnings of production workers and salaries to earnings of nonproduction workers.

[10] In addition to the changes in movements of the component groups and the shift in composition, the total change also reflects the interaction of both changes. This effect was allocated equally to both elements.

[11] It may not be strictly appropriate to apply the CPI to the fringe benefits part of labor payments, because some fringes are not received by the employee at the time the payments are made by the employer (e.g., contribution to pension funds, insurance, etc.). However, in the absence of any suitable alternative, this is the only measure to apply. Moreover, since wages and salaries account for over 90 percent of total labor compensation for the postwar period, the use of the Consumer Price Index seems justified.

Production and nonproduction workers: The gain in real compensation per man-hour for production workers was very nearly the same as the gain in productivity over the entire postwar period. Real compensation per man-hour for production workers rose slightly less than 3 percent year from 1947 to 1964. In the latter part of the period, however, it rose at a rate of 2 percent per year. During the previous 12 years, however, despite the greater than average rise in the price index, production worker real compensation per man-hour had risen almost 3½ percent annually (close to the productivity gain of 3.3 percent), reflecting the very substantial rise in money wages and fringes.

Nonproduction workers experienced a gain in real compensation per man-hour of over 2½ percent per year over the period as a whole—less than the gain in productivity movement. In the latter part of the period, the rate was considerably lower than the rate of productivity growth.

Over the entire postwar period, real compensation per man-hour of all manufacturing employees and production workers kept pace with the gains in productivity for the economy. Over the last 5 years, however, the less-than-average increase in hourly compensation for all employees and production workers was reduced by the 1-percent-per-year rise in consumer prices so that real compensation per man-hour lagged behind the greater-than-average advance in productivity.

II. COST TRENDS IN NINE INDUSTRIAL NATIONS

(By John H. Chandler and Patrick C. Jackman, of the Division of Foreign Labor Conditions, Bureau of Labor Statistics)

From the standpoint of labor cost per unit of output, American manufacturers are now in a significantly better competitive position vis-a-vis foreign producers than they were in the late 1950's. This conclusion emerges from the most recent Bureau of Labor Statistics unit labor cost study covering trends in nine industrialized nations, and it takes account of changes in exchange rates in four of the countries.

Examining trends since 1950, the Bureau found that unit labor cost in manufacturing moved moderately upward over the entire period in six Western European countries, slowed considerably between 1957 and 1964 after early gains in the United States and Canada, and showed little net rise in Japan.

Within the past 2 years, many countries appear to have checked the rise in costs. From 1963 to 1964, only Italy and the Netherlands show significant rises.

Using the latest available expenditure and output information, the calculations on which this article is based update and, in some cases, revise previous estimates published by the Bureau.[1] Although several of the unit labor cost series have been altered as a result of these revisions, the major conclusions reached in the earlier work have not been affected. The Netherlands is included for the first time in the following discussion of unit labor cost trends.

THE LONG-TERM TRENDS

It is useful to divide the 14 years following 1950 into two contrasting periods of 7 years each. From 1950 to 1957, all nine countries underwent substantial inflationary pressures, varying in degree,[2] but generally sufficient to buoy unit labor costs markedly upward. During this early period, the Korean conflict interfered with the attempts being made in each country to overcome domestic shortages and regain pre-World War II markets. Although some progress was made in these years toward liberalizing trade and reducing tariffs, numerous trade restrictions and exchange controls remained in effect as late as 1957. These restrictions and controls were particularly important in transactions affecting the dollar zone.

Since 1957, many countries have intensified their efforts to achieve price and cost stability as the tempo of trade liberalization with the dollar zone increased and competition for foreign markets sharpened.

From 1950 to 1957, unit labor cost in the United States rose about the same as the average of the other countries.[3] As shown by the all-employee changes in chart 4 (not printed in the RECORD) at the end of the period this country occupied a middle position between Japan's decrease at the lower extreme and Sweden's 67-percent increase. France's doubling of all-employee cost far outstripped rises in the other nations.

Estimates of unit labor cost trends for production workers shown in the same chart display slightly less 1950–57 change than do the corresponding all-employee estimates. This discrepancy is attributable to a tendency in each country for manufacturing industries to increase the proportion of managerial, technical, and clerical personnel to product on workers.

Variations in the trends following 1957 resulted in a great improvement in the cost position of the United States relative to its trading partners. All of the countries with the fastest rates of increase in the earlier period managed to slow the growth of unit labor cost, while Italy, Japan, and Germany showed greater increases than in the initial 7 years. As these trends developed, the United States and Canada came close to achieving labor cost stability. The U.S. series B rose 5 percent while series A actually declined 1 percent.

For this recent period, too, the tendency for all-employee cost to increase at a faster pace than production worker cost can be observed in the trends shown in chart 5 (not printed in RECORD).

[1] See John H. Chandler and Patrick C. Jackman, "Unit Labor Costs in Eight Countries Since 1950," Monthly Labor Review, April 1964, pp. 377–384. For discussion of the problems of definiing and measuring unit labor cost, see William C. Shelton and John H. Chandler, "The Role of Labor Cost in Foreign Trade," and "International Comparisons of the Unit Labor Cost: Concepts and Methods, in Monthly Labor Review, May 1963, pp. 485–490 and 538–547.

Unit labor cost refers to the ratio of total labor cost or expenditure (including direct compensation and expenditures for supplements) to total output.

[2] Inflationary pressures are associated both with wholesale and consumer price changes and in Italy from 1950 to 1957 the two diverged widely. The wholesale price index declined slightly while the cost-of-living index was rising at a rate of about 4 percent per year.

[3] As mentioned later in this article, series based on national accounts (series B for the United States) are preferred for international comparisons of unit labor cost trends for all manufacturing. These data are also preferred for the analysis of unit labor cost trends in manufacturing in the United States, as shown in the article on page 1056 of this Review. Four of the countries covered in this article, however (Canada, Japan, the Netherlands, and Sweden), do not now publish adequate, current data on deflated value of gross national product produced in manufacturing. For these countries, quantity indexes of industrial production have been used. For methodological comparability with these countries for which quantity indexes are used, a U.S. series based on the Federal Reserve index of industrial production (series A) was also included in this article. From 1950 to 1957, series B shows a 32-percent rise while series A shows a 26-percent rise.

TABLE 1.—*Indexes of unit labor cost in manufacturing for selected countries, 1950–64*

[1957=100]

Selected countries	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964 [1]
NATIONAL CURRENCY BASIS															
All employees:															
United States:															
Series A [2]	80	87	91	93	95	92	96	100	103	101	101	101	101	100	99
Series B [3]	76	82	86	90	92	90	97	100	102	102	106	106	104	105	105
Canada	77	84	90	92	94	91	93	100	101	101	104	103	102	103	103
France	50	67	76	80	82	87	92	100	113	115	115	123	132	141	142
Germany (Federal Republic)	87	97	95	93	92	92	99	100	103	102	105	111	119	123	123
Japan	109	107	113	102	105	106	106	100	106	100	98	100	108	113	111
The Netherlands	72	78	81	78	81	85	92	100	103	98	100	108	111	119	126
Sweden	60	69	83	87	91	95	99	100	102	101	102	106	113	116	116
The United Kingdom	69	74	83	84	85	88	96	100	105	104	105	113	117	116	116
Production workers:															
United States:															
Series A [2]	87	95	97	98	97	95	98	100	100	98	98	95	95	95	94
Series B [3]	83	89	92	95	94	92	98	100	100	99	102	100	99	100	100
Germany (Federal Republic)	89	100	97	94	91	94	100	100	102	100	102	108	114	116	116
Italy	109	107	111	106	102	100	101	100	98	91	91	92	99	109	117
Sweden [4]	63	74	88	89	93	96	100	100	100	98	98	101	105	107	106
The United Kingdom	71	75	83	86	87	90	98	100	103	102	103	109	111	110	108

See footnotes at end of table.

TABLE 1.—*Indexes of unit labor cost in manufacturing for selected countries, 1950–64*—Continued

[1957=100]

Selected countries	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964 [1]
U.S. DOLLAR BASIS [5]															
All employees:															
Canada	68	76	88	90	92	88	91	100	100	100	103	97	92	91	91
France	54	73	82	86	88	94	100	100	93	88	89	94	101	108	109
Germany (Federal Republic)	87	97	95	93	92	92	99	100	103	102	105	117	125	129	130
The Netherlands	72	78	81	78	81	85	92	100	103	98	100	114	118	126	133
Production workers:															
Germany (Federal Republic)	89	100	97	94	91	94	100	100	102	100	102	113	120	122	122

[1] Preliminary.
[2] Based on Federal Reserve Board index of manufacturing production.
[3] Based on estimates of gross national product originating in manufacturing, published by the U.S. Department of Commerce, Office of Business Economics.
[4] Manufacturing and mining.
[5] Adjusted for changes in the official or commercial exchange rate. Until 1961, the Canadian dollar had no par value and was allowed to fluctuate freely in international exchange markets. Adjustments for France are based upon changes that occurred in 1957 and 1958. Adjustments for Germany and the Netherlands are based upon changes in par value that occurred in March 1961.

Exchange revaluations

In relating changes in unit labor cost to international commercial competition, it is necessary to take account of changes in international exchange rates. France executed devaluations in 1957 and 1958, Germany and the Netherlands revalued their currencies upward by 5 percent in 1961, and Canada set an official exchange rate in 1961 which was significantly below the value that had prevailed under the fluctuating exchange system previously operating. Adjustments have been made in the table of unit labor cost calculations (table 1) for these four countries to reflect their changes in currency valuations, and the adjusted figures are shown separately in chart 6 (not printed in RECORD).

The effects of these adjustments on the estimates can be clearly seen in the Canadian experience. When Canadian 1964 unit labor cost is measured in terms of U.S. dollars—that is, is adjusted for the exchange devaluation—it is 9 percent below the 1957 level, whereas it runs 3 percent above the 1957 level when measured in terms of Canadian dollars. For France, after taking account of currency devaluations, unit labor cost shows just a 9-percent increase since 1957. In Germany and the Netherlands, on the other hand, the cost increases are augmented when the 1961 revaluations are applied.

The situation in France from 1950 to 1957 presents a special analytical problem. The legal exchange rate was held at 350 francs to the dollar, but the effective commercial rate often differed from this figure because of an elaborate system of import charges and export incentives.

This situation existed, with frequent changes in detail, from the early 1950's until the 1957 devaluation. In the indexes shown here, no attempt was made to adjust the official rate to a more realistic average effective commercial rate. Nor was an attempt made to adjust the rate for the British pound for the temporary import surtax that was introduced in October 1964.

Components of cost ratios

Since unit labor cost represents the ratio of labor expenditure to production, closer examination of the labor expenditure and production trends helps in the interpretation of unit labor cost trends. In general, the United States, with a less rapidly expanding economy, has shown more moderate increases than other countries, both in total labor expenditure in manufacturing and in total manufacturing production. As illustrated in table 2, the aggregate expenditure for U.S. wages and salaries and other labor benefits has increased by roughly 4 percent per year since 1957. In several of the other countries, aggregate expenditure has increased by over 10 percent per year, whereas production has increased at rates varying from 5 to 10 percent per year. In Japan, both labor expenditure and production have risen more than 10 percent per year.

Manufacturing production increases have occurred at higher rates in most of the countries than in the United States. The United States, Canada, and the United Kingdom show rather moderate rates of increase in production, averaging 3 to 4 percent per year since 1957. France, Sweden, and the Netherlands show a more rapid rate of about 6 percent. The remaining three countries—Italy, Japan, and Germany—show exceptionally rapid increases of 8 percent or more per year. The most remarkable growth has occurred in Japan, where manufacturing production has risen over 300 percent since 1953.

In the last 2 or 3 years, the rates of increase in production show less dispersion. Japan, for example, shows an increase of about 10 percent per year since 1961, compared to increases exceeding 20 percent in certain earlier years. The slower growing countries, on the other hand, have maintained or even accelerated their rates of growth slightly, as indicated by the showings for the United States, Canada, and the United Kingdom.

Although the unit labor cost trend estimates in this article have been prepared from data on aggregate annual output and annual labor compensation, they could also be calculated from data on output per man-hour (labor productivity) and average hourly compensation per worker. In the United States, both labor productivity and average labor compensation have been rising gradually, by 2 to 4 percent per year in recent years, so that unit labor cost has shown little change. Japan has achieved a high rate of productivity increase, but wages have also been increasing rapidly. As a result, there has been little change in unit labor cost. In most of the countries, wage increases have outpaced productivity increases, so that unit labor cost has risen.

TABLE 2.—*Percentage increases in manufacturing production, aggregate labor expenditure, and unit labor cost, 9 countries, annual average, 1950–57 and 1957–64*

Country	1950–57			1957–64		
	Production	Labor expenditure	Unit labor cost	Production	Labor expenditure	Unit labor cost
All employees:						
United States:						
Series A	4.0	6.7	2.6	4.5	4.3	−0.2
Series B	3.1	6.7	3.5	3.7	4.3	.6
Canada	4.4	7.4	2.9	4.0	4.4	.3
France	5.3	14.2	8.5	5.9	11.1	4.9
Germany (Federal Republic)	11.8	13.1	1.2	8.3	12.0	3.5
Japan	17.2	16.1	−1.0	15.3	17.2	1.6
The Netherlands	6.3	10.5	4.0	6.4	10.0	3.4
Sweden	2.9	10.4	7.3	6.1	8.8	2.5
The United Kingdom	3.4	8.6	5.0	3.5	5.9	2.3
Production workers:						
United States:						
Series A	4.0	5.4	1.3	4.5	3.6	−.9
Series B	3.1	5.4	2.2	3.7	3.6	−.1
Germany (Federal Republic)	11.8	12.6	.7	8.3	11.1	2.6
Italy	8.5	6.9	−1.5	9.4	11.9	2.3
Sweden	2.9	9.3	6.2	6.1	7.3	1.1
The United Kingdom	3.4	8.4	4.9	3.5	4.9	1.4
Adjusted for currency revaluations:						
Canada, all employees			4.4			−1.7
France, all employees			7.8			2.2
Germany:						
All employees			1.2			4.4
Production workers			.7			3.6
The Netherlands, all employees			4.0			4.5

NOTE.—Rates are computed from the least squares trend of the logarithms of the index numbers.

Revisions and limitations

The indexes of unit labor cost published here contain several changes from the previously published estimates. Some of the changes arise from data revisions by the national statistical agencies.[4] In other cases, the BLS has selected different data to achieve a more uniform basis of measurement among the countries.

[4] The Office of Business Economics in the U.S. Department of Commerce is presently engaged in the revision of the U.S. national accounts data covering the entire postwar period. These changes will affect both the series A and series B estimates shown in the present article, but the revisions are not expected to be very great.

Data used by the governments in preparing their national economic accounts have been used, at least in part, for all of the countries. Indexes of manufacturing production in constant value terms have been obtained for France, Germany (F.R.), Italy, and the United Kingdom, as well as the United States. Aggregate labor expenditure data used in preparing national accounts have been used for all the countries. These calculations offer a more uniform approach to the measurement of unit labor cost than can be achieved through the use of such measures as productivity indexes and hourly labor expenditure indexes, since many of the countries have moved toward standard methodology in preparing their national accounts.

Perhaps the greatest limitation in using the unit labor cost calculations shown here is that all manufacturing industries are combined and that the countries differ in their industrial composition. The BLS is undertaking an industry-by-industry analysis to evaluate the importance of this factor. Work done so far indicates substantial variations in cost movements in different industries, but the trends shown for all manufacturing in the present article are believed to be reliable.

There are, of course, many inadequacies in available data. Although the labor expenditure data should cover all expenditures by employers for labor, certain supplementary benefits such as subsidies and payments in kind may not be fully reflected in the basic national accounts. In addition, the measurement of manufacturing production has always been a difficult statistical task. Several countries, including the United States, have made substantial revisions in their production estimates, and uniform methods have not been achieved between countries. Other limitations of a technical nature have been described previously,[5] and will not be raised here. Although many of these technical problems are troublesome, it is believed that errors arising from them are small in aggregate.

TABLE 3.—*Indexes of wholesale or industrial prices, 9 countries, selected years*

[1957=100]

Country	1950	1953	1957	1960	1962	1964
United States:						
All commodities	87.7	93.6	100.0	101.7	101.6	101.5
Manufactured goods	84.4	91.6	100.0	102.1	101.8	102.1
Canada:						
All commodities	92.9	97.1	100.0	101.6	105.5	108.0
Manufactured goods	88.7	96.2	100.0	101.8	104.7	107.8
France:						
All commodities	72.4	92.4	100.0	119.9	125.7	132.4
Germany (Federal Republic):						
All commodities	81.8	96.7	100.0	100.0	102.6	104.8
Italy:						
All commodities	101.3	97.4	100.0	96.2	99.3	107.9
Japan:						
All commodities	66.9	95.3	100.0	95.5	94.8	96.3
Manufactured goods	--------	--------	100.0	93.5	91.6	91.6
The Netherlands:						
All commodities	81.3	93.1	100.0	96.1	96.2	105.1
Manufactured goods	82.2	93.5	100.0	98.1	99.1	--------
Sweden:						
All commodities	70.9	90.9	100.0	100.9	104.6	112.9
Manufactured goods	74.3	91.7	100.0	102.8	108.3	115.4
The United Kingdom:						
All commodities	77.1	90.3	100.0	102.3	107.5	112.5
Manufactured goods	76.6	90.1	100.0	101.8	107.2	110.7

Some related trends

Since labor cost is a substantial portion of total cost in manufacturing, changes in labor cost are frequently associated with changes in industrial prices. Therefore, it is pertinent to examine wholesale price trends to see how closely they conform with trends in unit labor cost.[6]

A serious difficulty in a comparing prices and labor cost trends is that most wholesale price indexes reflect the cost of many commodities other than manufactured goods. Fortunately, a separate series for manufactured goods is available for the United States, but this is not the case for some of the other countries. A further difficulty is that, even for prices of manufactured goods, the indexes do not differentiate between goods that are domestically produced and those that may be purchased from abroad.

Table 3 presents a summary of changes in industrial prices compiled from existing national series. Wholesale prices were very stable in the United States, while they declined in Japan between 1957 and 1964. Increases were moderate in Canada, Germany, Italy, and the Netherlands.

Relating trends in wholesale prices and in unit labor cost from 1957 to 1964, the United States shows little change in either series. In the other countries, wholesale price increases have generally been less than increases in unit labor cost. In Germany, for example, which has shown a 26-percent increase in unit labor cost, wholesale prices have risen by only 5 percent since 1957. In Sweden and the United Kingdom, wholesale prices have risen by 12 to 13 percent, which is slightly below the increases in unit labor cost since 1957. Canada is the sole exception, showing an 8-percent price rise since 1957 while unit labor cost rose only 3 percent.

In general, the data do not indicate a close relationship between wholesale price changes and unit labor cost changes. In most of the countries, wholesale price indexes held steady or advanced only moderately during the mid-1950's and early 1960's, but the increases have been more noticeable over the past 2 years. This contrasts with the developments in unit labor cost trends, which show increases in the 1950's and more stability within the past 2 years. Until further price data can be developed which pertain only to the manufacturing sectors in each country, it will not be possible to make conclusive findings as to the relationship between labor cost trends and prices.

[5] Shelton and Chandler, op. cit.

[6] Technically, what is needed in studying the relationship to unit labor cost is price indexes by sector rather than by commodity group, and specifically 2 price indexes, 1 for goods and services sold by manufacturing to other sectors of the economy and the other for goods and services purchased by manufacturing from other sectors. Such indexes are not yet regularly published even for the United States. See Bennett R. Moss, "Industry and Sector Price Indexes," Monthly Labor Review, August 1965, pp. 974–982.

RATIO OF LIQUIDITY TO RESERVES SHOWS URGENT NEED FOR MONETARY REFORM

Mr. PROXMIRE. Mr. President, there has been a great deal of controversy among bankers, business, and Government officials about the seriousness of the international liquidity crisis. Are we, or are we not, likely to run out of ready cash to finance world trade and world economic expansion as the United States corrects its adverse balance of payments?

Virtually all economists and other experts have contended that there is ample—many said too much liquidity today. Some have contended that there might be a shortage of the necessary gold and key currencies in a few years, if the United States succeeds in mastering its balance-of-payments difficulties, since U.S. dollar and gold outflows have been fueling the world's growing liquidity needs.

Now, for the first time to my knowledge, an economist has come forward with an analysis that takes the world liquidity needs out of the vague language of a theoretical relationship to trade and ties the actual liquidity to the actual imports of nations. What the analysis shows is startling.

The study is published in the September issue of the National Banking Review. It is written by Prof. Herbert G. Grubel, of the University of Chicago. The study shows and I quote:

> The ratio of reserves to imports has fallen for all countries covered, as well as for the subgroups of countries. Very few observers would be willing to assert that the ratio in 1960 was excessively high. Whatever inflationary pressures prevailed at that time existed in countries with deficient rather than excessive levels of international reserves. The substantial decline in the ratio over the period, therefore, strongly suggests that reserves in 1964 were scarcer than they were in 1960.
>
> The dramatic decline in the ratio for all 11 countries could be considered irrelevant if it had been accompanied by a redistribution of reserves away from countries with excessive stocks to countries with shortages * * *. On the basis of this evidence one is tempted to raise the question of how low the ratio of reserves to imports can be allowed to fall before it is inadequate. The trends over the past 5 years, since the first dollar crisis of the postwar era, do not give much support to the view that the "studies can be pursued without undue haste."

And Professor Grubel concludes:

> It appears that the reserves in the form of positions with the Fund are such a small proportion of total reserves that increases of many times that base would be required to bring about a significant improvement in the world's overall reserve position. Increases of such a magnitude may well require a fundamental reform of the present system.

Mr. President, this is such a significant and refreshing analysis of the vital problem of how to keep international growth and prosperity moving along, that I ask unanimous consent that the article, "The Gold and Dollar Crisis," from the National Banking Review be printed in the RECORD, together with an editorial comment from this morning's Washington Post.

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

REFORM OR ROULETTE?

Are the monetary reserves which nations hold in order to finance balance-of-payments deficits sufficiently large to insure the stability of the international financial system? The question is at the center of the controversy over the reform of the international monetary system. Proponents of reform argue that there is or soon will be a shortage of liquidity—the means by which deficits may be financed—and urge a new mechanism for creating additional reserves. Antagonists insist that there is now an oversupply of liquidity—especially of dollars held as official monetary reserves—and deny that a shortage will develop in the foreseeable future.

Some cold light on the adequacy of international liquidity is cast in the current issue of the National Banking Review, an excellent journal published by the Office of the Comptroller of the Currency. Herbert G. Grubel, a University of Chicago economist, approaches the problem by examining the ratios of reserves to imports for 11 of the world's leading industrial countries.

The picture that emerges for the period 1960–64 is disquieting. For the group of 11 the ratio has fallen from 79 percent in 1960 to 53.1 percent in 1964. And a continuation of the downtrend will doubtless push the ratio below 50 percent in 1965. Only 3 of the 11 countries, France, Canada, and Sweden, experienced increases in the reserves-to-import ratio since 1960. But the ratios for Canada and Sweden were extremely low in 1960 and remained far below the group average in 1964.

Professor Grubel, who views the development with alarm, asks "how low the ratio of reserves to imports can be allowed to fall before it is considered inadequate." The opponents of a meaningful monetary reform would permit the question to be answered by experience. And, indeed, experience would provide an answer of sorts, just as it reveals the location of the bullet in a game of Russian roulette. But why, in the name of sanity, should the world run such a terrible risk?

THE GOLD AND DOLLAR CRISIS 5 YEARS LATER

(By Herbert G. Grubel)

(Herbert G. Grubel is an assistant professor of economics at the University of Chicago. The author gratefully acknowledges the comments of Arthur I. Bloomfield and Robert Triffin on an earlier version of this paper. Needless to say, this current version is not to be interpreted as a reflection of their views.)

In the spring of 1960, a speculative attack on the U.S. dollar ushered in a new era in international monetary relations. For the first time since the end of the Second World War, confidence in the dollar was shaken and U.S. Government obligations ceased to be considered a reserve asset "at least as good as gold." A few months earlier, Robert Triffin, in a prophetic book,[1] had analyzed the fallacies and dangers of a world payments system built on key currencies. The speculative episode and Professor Triffin's book stimulated worldwide discussions, and academic economists soon produced an outpouring of plans for monetary reform.[2] More recently, in July 1965, a committee charged with presenting an official American plan for reform was formed under the direction of Henry H. Fowler, Secretary of the Treasury.

In this paper, I shall briefly review the recent pronouncements of international institutions concerning the problem of world monetary organization. I will then present a set of statistics designed to put the data on liquidity published by these organizations into meaningful relationship with other economic magnitudes, and to throw more light on the developments of the past 5 years.

I. THE FUND AND GROUP OF TEN STUDIES

The international institutions criticized in the worldwide discussions of the past 5 years, and the major industrial countries of the West dependent upon the functioning of these institutions, reacted very slowly to the challenges of the events in 1960 and the intellectual ferment that followed. Nearly 4 years elapsed before the International Monetary Fund and the industrial countries, organized as the Group of Ten, each commissioned a review of the international monetary system and the probable future needs for liquidity. The analytical approaches to the problem, and the positive recommendations produced by these reviews,[3] were not startling. This outcome could have been anticipated, for example, from the instructions given by the Ministers of the Group of Ten to their Ministerial Deputies explicitly ruling out any examination of alternatives to the system of fixed exchange rates and the established price of gold.

The Group-of-Ten study presented statistics on reserve assets, but in no way related the volume of these assets to any measure that could conceivably serve as an index of the demand for reserves. In the theoretical discussion of such a measure, the report concluded that it knew of "no satisfactory quantitative formula for the measurement of liquidity need."[4] Yet, at another point in their report, the experts inexplicably came to the conclusion that "the overall liquidity of the system seemed fully adequate in present circumstances."[5] If they had criteria upon which to base this judgment, these were not presented. The Group-of-Ten study conceded that "the need may in time be felt for some additional kind of reserve asset,"[6] and therefore recommended a study of the long-run need for international liquidity. However, it concluded that "in view of the adequacy of the supply of gold and reserve currencies in the present and in the near future, there is no immediate need to reach a decision as to the introduction of a new type of reserve asset. The studies can therefore be pursued without undue haste."[7] Aside from their recommendation for a new study of liquidity needs, the review gave "expression of support" to a general increase in the Fund's quotas.

The study by the International Monetary Fund also contained a discussion of the determinants of the demand for reserves. The widely known objections to the value of imports as a measure of demand were analyzed, but no substitute was proposed; in the end, imports were used.

Although the Fund study considered the current monetary system to be adequate and praised its flexibility and adaptability, the tone of its conclusions and recommendations conveyed a greater sense of urgency than did the Group-of-Ten study. It suggested that the Fund "enter upon a broad exploration of the possible ways to meet any inadequacies in the supply of international liquidity."[8] But in the next paragraph, the broadness of the proposed exploration was limited by the insistence that "It will be wise to supplement and improve the system where changes are indicated, rather than to look for a replacement of the system by a totally different one."[9]

Both studies emphasized the flexibility and adaptability of the current system to meet the problems of international monetary stability and growth, and concluded that the current system can be changed sufficiently—without altering its basic character—to meet future world demands.

II. APPRAISAL OF THE PRESENT INTERNATIONAL MONETARY SYSTEM

Let us examine the extent to which the present international monetary system has adapted to the challenges revealed by the events of 1960. The two basic problems of the time can most easily be shown in two simple diagrams which, while unrealistic in some respects, nevertheless allow certain interesting insights. Figure 1 [not shown in RECORD] assumes that at any moment in time the world demand and supply of gold is a function of its price, given such other factors as the level of international trade, the quality of key currencies available, their interest yield, and the strength of the general belief that their value in terms of gold will be maintained. Figure 2 [not shown in RECORD] shows the demand and supply schedules for key currencies under the assumption that the demand is an increasing function of the interest yield.

The problems of 1960 can be interpreted as having been an excess demand for gold, and an excess supply of key currencies at the existing price of gold and interest rates, conditions which could have been remedied by upward valuation of gold and a rise in interest rates. However, gold revaluation was ruled out for political and practical reasons, and interest rates in the United States were kept low to encourage full employment and economic growth. Instead, a series of institutional changes was introduced which, in essence, amounted to a once-and-for-all shift in the demand curve for key currencies, in turn causing a shift in the demand curve for gold.

The institutional changes were designed to increase confidence in the value of the key currencies. The Basle arrangements for the

[1] "Gold and the Dollar Crisis," New Haven: Yale University Press, 1960.

[2] The most important of these proposals have been reprinted in H. G. Grubel, "World Monetary Reform: Plans and Issues," Stanford: Stanford University Press, 1963; the proposals were summarized in F. Machlup, "Plans for Reform of the International Monetary System," International Finance Section, Princeton, 1964, Special Papers in International Economics, No. 3.

[3] The IMF study appeared as part II of the 1964 "Annual Report of the International Monetary Fund." The Group-of-Ten study was first released on Aug. 10, 1964, and is most easily accessible in the "Federal Reserve Bulletin," August 1964, pp. 975–999.

[4] Op. cit., p. 983.

[5] Ibid.

[6] Op. cit., p. 984.

[7] Op. cit., p. 988.

[8] 1964 Annual Report, p. 32.

[9] Ibid.

support of sterling in 1961 and 1963, the swap arrangements by the United States in 1962–63, the gold-pooling arrangements of 1961, and the General Arrangements to Borrow[10] enabled the key currency countries to meet sudden demands for conversion of their outstanding obligations into gold or other acceptable currencies. As is true of deposit insurance and the willingness and ability of the Federal Reserve System to provide individual banks with liquidity when needed, knowledge of the security of deposits alone was sufficient to reduce substantially the need to draw on these resources. Thus, the dangers of short-run crises in confidence were effectively reduced, and the willingness of major countries to help each other in case of short-run speculative attacks served to alleviate the fundamental difficulties that prevailed in 1960. The demand curve for key currencies shifted upward from D_0 D_0 to D_1 D_1, thus eliminating the excess supply situation. At the same time, the increased willingness to hold key currencies reduced the demand for gold, shifting downward the demand curve to D_1 D_1 and eliminating the excess demand.

In this manner, the world monetary system proved its adaptability. The Bretton Woods machinery as it existed in 1960 was inadequately equipped for dealing with the problem of confidence. Partly through the leadership of the International Monetary Fund, this situation was remedied. But it should be noted that the changes were of such a nature that they cannot be repeated; it will be very difficult to find additional institutional arrangements to deal with crises of confidence in key currencies.

The present system has not, however, been able to deal with what many economists consider to be the basic problem and ultimate cause of the disequilibria that existed in 1960. The basic problem is that the increase in the supply of gold; i.e., the rightward shift of the S curve in figure 1 [not shown in RECORD] has in recent years occurred at so slow a rate that the relatively rapid upward shift in the demand for gold caused by the higher levels of international trade created excess demand at the existing price of gold. During the past 5 years, the increased supply of key currencies, coupled with the institutional changes mentioned above, has slowed down the outward shift of the demand curve for gold. But, as both the report of the Group of Ten and IMF study acknowledge, there will most likely occur a slowdown in the growth of key currency obligations in the future, simply for the reason that the process of increasing U.S. obligations and decreasing the U.S. stock cannot go on forever. Chart 1 [not shown in RECORD] shows the development of these two magnitudes between 1958–64, and the reader is left to form his own impression as to how long this accumulation of U.S. short-term obligations is likely to continue into the future. Note should be taken of the significant crossing of the two lines in 1960, the year of the first dollar crisis. Thus, if the price of gold is to be kept down, a substitute for key currencies has to be found. This fact is acknowledged in the reports, as well as in the suggestion that further studies of the long-range liquidity problem be undertaken.

III. GROWTH OF INTERNATIONAL RESERVES, 1960–64

We turn now to an examination of the growth in international reserves between 1960 and 1964, in order to explore the extent to which the system has adapted to changes in the demand for reserves, and to determine whether judgments can be made about future needs. The statistics on reserve holdings supplied by the two reports are not very useful for this purpose. Although there are adequate data on the stock of reserves and their growth and distribution among countries, there are no comparable statistics on the demand for reserves. Yet, it is well known that scarcity or abundance are meaningful concepts only in the relationship of supply and demand.

The lack of statistics on demand stems from the fact that no conceptually unambiguous measures have been developed. Although the elements of demand may be readily enumerated, their measurement is much more difficult. The transactions demand for reserve assets may grow proportionally to trade, by the square root, or by some other factor. The need for funds to meet temporary requirements depends on a country's willingness to alter the pegged rate (at the extreme of complete flexibility of exchange rates, the need for official reserves is zero), the flexibility of domestic wages and prices, and the readiness to sacrifice real output and growth to restore external balance.[11] Further, the requirements of any one country depend on the preferences and behavior of other countries. Most difficult to account for is the fact that balance-of-payments decisions are rarely made solely on the basis of clear-cut economic criteria. Interest rates, budget deficits, and international trade restrictions are determined by a political process of bargaining among many vested interests in the economy, all of which are affected in some way by the levels at which these policy factors are maintained. Unless we are willing to engage in what many economists consider to be distasteful interpersonal comparisons of welfare, this fact practically rules out the possibility of devising maximization criteria from which optimum reserve holdings may be determined.[12]

Despite these difficulties of conceptualization and measurement, there does exist a demand for international reserves. An excess of demand over supply may lead to a worldwide liquidity crisis, as some observers fear, or it may lead more subtly to seemingly independent national restrictions on trade, temporary reductions in tourist allowances, voluntary curbs on private capital flows, and the like.

In view of the lack of a theoretically valid demand function for reserves and the clear-cut need to find some sort of measure for demand, I have used the quantity of imports.

The ratio of reserves to imports has fallen for all 11 countries covered, as well as for the subgroups of countries. Very few observers would be willing to assert that the ratio in 1960 was excessively high. Whatever inflationary pressures prevailed at that time existed in countries with deficient rather than excessive levels of international reserves. The substantial decline in the ratio over the period, therefore, strongly suggests that reserves in 1964 were scarcer than they were in 1960.

The dramatic decline in the ratio for all 11 countries could be considered irrelevant if it had been accompanied by a redistribution of reserves away from countries with excessive stocks to countries with shortages. However, this line of argument does not seem very convincing, since all of the relevant subgroups of countries actually experienced declines in their ratios. On the individual-country level, only the reserve ratios of Sweden, France, and Canada increased during the period. Of these countries, Sweden started the period with the excessively low level of 18, and Canada was on flexible exchange rates at the outset but had returned to the reserve-demanding regime of pegged rates by the end of the period.

On the basis of this evidence, one is tempted to raise the question of how low the ratio of reserves to imports can be allowed to fall before it is considered inadequate. The trends over the past 5 years, since the first dollar crisis of the postwar era, do not give much support to the view that "the studies can be pursued without undue haste."

The breakdown of reserves reveals some significant facts about the changes of the past 5 years. The impressive decline in the ratio of gold to imports of the reserve currency countries was in large part due to the gold withdrawals of some surplus countries. But it is interesting to note that the gains by the European Economic Community countries were insufficient to maintain the ratio of gold to imports they had achieved in 1960.

A second important fact is that the large increases in dollar holdings brought about by the U.S. deficits succeeded only in keeping the ratio of foreign exchange to imports constant for the 11 countries, and lowered it slightly for the European Economic Community. As noted before, this ratio can be expected to fall as soon as the United States brings her payments into balance.

Another remarkable feature brought out by the chart is the size of the Fund reserve positions of the 11 countries. The precise definition of this asset category is fairly involved (see the International Financial Statistics, Notes to tables), but basically it is that sum of resources that countries may draw upon without negotiation or conditions. In a sense, this asset is a perfect substitute for gold and foreign exchange. However, the Fund reserve position is a misleading indicator of the Fund's role in the supply of reserves, since it does not reflect the authority's actual credit extensions nor its changed willingness to make these credits available. Such conditional resources can, up to a point, serve as a substitute for freely available assets, and their use has increased in recent years. On the other hand, the relatively small size of this form of assets indicates that the Fund has not been able to adapt its institutional setup so that it could play anything more than a minor role in the provision of owned reserves. Given the imperfect substitutability between conditional credit and unconditionally owned assets, the reform of the international monetary system must have the adequate creation of the latter as its main goal.

IV. CONCLUSIONS

We conclude that the official response to the weaknesses of the present world monetary system, first exposed by the events of 1960 and Professor Triffin's analysis, has been successful in dealing with crises of confidence, but it has been unable to prevent a significant decline in the ratio of international reserves to imports. Moreover, it appears that the reserves in the form of positions with the Fund are such a small proportion of total reserves that increases of many times that base would be required to bring about a significant improvement in the world's overall reserve position. Increases of such a magnitude may well require a fundamental reform of the present system.

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[10] For an analysis of some of these arrangements, see R. Aliber, "The Management of the Dollar in International Finance," International Finance Section, Princeton University, 1964, Princeton Studies in International Finance, No. 13.

[11] See H. G. Grubel, "The Benefits and Cost of Being the World Banker," "The National Banking Review," December 2, 1964.

[12] For an interesting discussion of some of these issues, see F. Machlup, "International Payments, Debts, and Gold," New York: Scribner's Sons, 1964, chapters XII–XIII.

APPENDIX

TABLE 1.—*1964 reserves, imports, and the ratio of reserves to imports, as a percentage of 1960 figures*

	Reserves [1]	Imports	Reserves as a percentage of imports		Reserves [1]	Imports	Reserves as a percentage of imports
I. Reserve countries	82.2	122.2	67.3	III. Other Paris Club	132.4	145.5	91.0
United States	86.1	122.6	70.2	Canada	130.9	122.9	106.5
United Kingdom	62.2	121.8	51.1	Japan	103.6	177.0	58.5
II. Europe in Economic Community	138.0	152.9	90.3	Switzerland	134.4	169.9	83.5
France	251.9	160.3	157.1	Sweden	182.6	132.9	137.4
Germany	112.1	144.6	77.5				
Italy	117.6	153.1	76.8	IV. 11-country total	109.1	139.2	78.4
Netherlands	126.1	155.7	81.0				
Belgium	145.5	158.9	91.6				

[1] Reserves are yearend totals for gold and foreign exchange holdings plus Fund reserve positions.

Source: International Financial Statistics, various issues.

TABLE 2.—*International reserves, imports, and ratios of international reserves to imports, 1960–64*

[Dollars in millions]

Countries	1960			1961			1962			1963			1964		
	Reserves [1]	Imports	Reserves as a percentage of imports	Reserves [1]	Imports	Reserves as a percentage of imports	Reserves [1]	Imports	Reserves as a percentage of imports	Reserves [1]	Imports	Reserves as a percentage of imports	Reserves [1]	Imports	Reserves as a percentage of imports
I. Reserve countries	$23,078	$29,222	79.0	$22,071	$28,377	77.8	$20,528	$30,372	67.6	$19,990	$32,066	62.3	$18,988	$35,736	53.1
United States	19,359	16,508	117.3	18,753	16,069	116.7	17,220	17,764	96.9	16,843	18,590	90.6	16,672	20,251	82.3
United Kingdom	3,719	12,714	29.3	3,318	12,308	27.0	3,308	12,563	26.3	3,147	13,476	23.4	2,316	15,485	15.0
II. European Economic Community	15,924	29,340	54.3	18,089	32,162	56.2	18,552	35,797	51.7	20,006	40,417	49.5	21,970	44,847	49.0
France	2,272	6,281	36.2	3,365	6,679	50.4	4,049	7,517	53.9	4,908	8,727	56.2	5,724	10,070	56.8
Germany	7,032	10,107	69.6	7,163	10,948	65.4	6,956	12,289	56.6	7,650	13,022	58.7	7,882	14,618	53.9
Italy	3,251	4,725	68.8	3,799	5,223	72.7	3,818	6,075	62.8	3,406	7,590	44.9	3,823	7,232	52.9
Netherlands	1,863	4,531	41.1	1,958	5,089	38.5	1,946	5,347	36.4	2,102	5,966	35.2	2,349	7,055	33.3
Belgium	1,506	3,696	40.7	1,813	4,223	42.9	1,753	4,569	38.4	1,940	5,112	37.9	2,192	5,872	37.3
III. Other Paris Club	6,790	15,785	43.0	7,437	17,640	42.2	8,242	18,147	45.4	8,497	19,901	42.7	8,987	22,972	39.1
Canada	1,989	6,150	32.3	2,276	6,193	36.8	2,547	6,367	40.0	2,603	6,618	39.3	2,881	7,560	38.1
Japan	1,949	4,491	43.4	1,666	5,811	38.7	2,022	5,637	35.9	2,058	6,637	31.0	2,019	7,947	25.4
Switzerland	2,324	2,243	103.6	2,759	2,707	101.9	2,872	3,020	95.1	3,078	3,253	94.6	3,123	3,610	86.5
Sweden	528	2,901	18.2	736	2,929	25.1	801	3,123	25.6	758	3,393	22.3	984	3,855	25.5
IV. 11-country total	45,792	74,347	61.6	47,606	78,179	60.9	47,292	84,271	56.1	48,493	92,384	52.5	49,945	103,565	48.2

[1] Reserves are yearend totals for gold and foreign exchange holdings plus Fund reserve positions.

Source: International Financial Statistics, various issues.

TABLE 3.—*Reserve categories and ratios of reserves to imports*

[Millions of dollars]

A. GOLD [1]

Countries	1960	1961	1962	1963	1964	Countries	1960	1961	1962	1963	1964
I. Reserve countries	20,605	19,214	18,638	18,080	17,607	III. Other Paris club	3,487	3,973	3,845	4,108	4,230
	(70.5)	(67.7)	(61.5)	(56.4)	(49.3)		(22.1)	(22.5)	(21.2)	(20.6)	(18.4)
United States	17,804	16,947	16,057	15,596	15,471	Canada	885	946	708	817	1,026
	(107.8)	(105.4)	(90.4)	(83.9)	(76.4)		(14.4)	(15.3)	(11.1)	(12.3)	(13.6)
United Kingdom	2,801	2,267	2,581	2,484	2,136	Japan	247	287	289	289	290
	(22.0)	(18.4)	(20.5)	(18.4)	(13.8)		(5.5)	(4.9)	(5.1)	(4.4)	(4.0)
II. European Economic Community	9,436	10,839	11,455	12,281	13,223	Switzerland	2,185	2,560	2,667	2,820	2,725
	(32.2)	(33.7)	(32.0)	(30.4)	(29.5)		(97.4)	(94.6)	(88.3)	(86.7)	(75.5)
France	1,641	2,121	2,587	3,175	3,729	Sweden	170	180	181	182	189
	(26.1)	(31.8)	(34.4)	(36.4)	(37.0)		(5.9)	(6.1)	(5.8)	(5.4)	(4.9)
Germany	2,971	3,664	3,679	3,843	4,248	IV. 11-country total	33,528	34,026	33,938	34,469	35,060
	(29.4)	(33.5)	(29.9)	(29.5)	(29.1)		(45.1)	(43.5)	(40.2)	(37.3)	(33.9)
Italy	2,203	2,225	2,243	2,291	2,107						
	(46.6)	(42.6)	(36.9)	(30.2)	(29.1)						
Netherlands	1,451	1,581	1,581	1,601	1,688						
	(32.0)	(31.1)	(29.6)	(26.8)	(23.9)						
Belgium	1,170	1,248	1,365	1,371	1,451						
	(31.7)	(29.6)	(29.9)	(26.8)	(24.7)						

B. FOREIGN EXCHANGE [2]

Countries	1960	1961	1962	1963	1964	Countries	1960	1961	1962	1963	1964
Reserve countries	430	1,167	324	385	611	III. Other Paris Club	2,987	3,008	4,168	4,157	4,213
	(1.5)	(4.1)	(1.1)	(1.2)	(1.7)		(18.9)	(17.1)	(23.0)	(20.9)	(18.3)
United States	--------	116	99	212	432	Canada	951	1,118	1,838	1,786	1,658
	--------	(.7)	(.6)	(1.1)	(2.1)		(15.5)	(18.1)	(28.9)	(27.0)	(21.9)
United Kingdom	430	1,051	225	173	179	Japan	1,577	1,199	1,553	1,589	1,469
	(3.4)	(8.5)	(1.8)	(1.3)	(1.2)		(35.1)	(20.6)	(27.6)	(23.9)	(18.5)
II. European Economic Community	5,705	5,555	5,574	6,103	6,604	Switzerland	139	199	204	258	398
	(19.4)	(17.3)	(15.6)	(15.1)	(14.7)		(6.2)	(7.4)	(6.8)	(7.9)	(11.0)
France	429	818	1,023	1,282	1,376	Sweden	320	492	573	524	688
	(6.8)	(12.2)	(13.6)	(14.7)	(13.7)		(11.0)	(16.8)	(18.3)	(15.4)	(17.8)
Germany	3,753	2,862	2,760	3,255	2,721	IV. 11-country total	9,122	9,730	10,066	10,645	11,428
	(37.1)	(26.1)	(22.5)	(25.0)	(18.6)		(12.3)	(12.4)	(11.9)	(11.5)	(11.0)
Italy	980	1,332	1,372	837	1,571						
	(20.7)	(25.5)	(22.6)	(11.0)	(21.7)						
Netherlands	291	134	162	298	396						
	(6.4)	(2.6)	(3.0)	(5.0)	(5.6)						
Belgium	252	409	257	431	540						
	(6.8)	(9.7)	(5.6)	(8.4)	(9.2)						

See footnotes at end of table.

C. FUND RESERVE POSITION [3]

Countries	1960	1961	1962	1963	1964
I. Reserve countries	2,043	1,690	1,566	1,524	769
	(7.0)	(6.0)	(5.2)	(4.8)	(2.2)
United States	1,555	1,690	1,064	1,035	769
	(9.4)	(10.5)	(6.0)	(5.6)	(3.8)
United Kingdom	488	----------	502	489	----------
	(3.8)	----------	(4.0)	(3.6)	----------
II. European Economic Community	784	1,705	1,492	1,570	2,144
	(2.7)	(5.3)	(4.2)	(3.9)	(4.8)
France	202	426	438	451	619
	(3.2)	(6.4)	(5.8)	(5.2)	(6.1)
Germany	309	637	517	552	913
	(3.1)	(5.8)	(4.2)	(4.2)	(6.2)
Italy	68	243	203	226	146
	(1.4)	(4.7)	(3.3)	(3.0)	(2.0)
Netherlands	121	243	203	203	265
	(2.7)	(4.8)	(3.8)	(3.4)	(3.8)
Belgium	84	156	131	138	201
	(2.3)	(3.7)	(2.9)	(2.7)	(3.4)
III. Other Paris Club	316	455	228	233	506
	(2.0)	(2.6)	(1.3)	(1.2)	(2.2)
Canada	153	212	----------	----------	198
	(2.5)	(3.4)	----------	----------	(2.6)
Japan	125	180	180	180	220
	(2.8)	(3.1)	(3.2)	(2.7)	(2.8)
Switzerland	----------	----------	----------	----------	----------
Sweden	38	63	48	53	88
	(1.3)	(2.2)	(1.5)	(1.6)	(2.3)
IV. 11-country total	3,143	3,850	3,286	3,327	3,419
	(4.2)	(4.9)	(3.9)	(3.6)	(3.3)

[1] The figures in parentheses represent gold as a percentage of imports.
[2] The figures in parentheses represent foreign exchange as a percentage of imports.
[3] The figures in parentheses represent Fund reserve position as a percentage of imports.

Source: See table 1.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum; and I assure the Senate that it will not be a live quorum.

The PRESIDING OFFICER (Mr. BASS in the chair). The Chair appreciates that information, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

INSURING ORDERLY PROCESSES OF GOVERNMENT DURING TEMPORARY INCAPACITY OF THE PRESIDENT

Mr. SMATHERS. Mr. President, all of us are deeply concerned over the announcement that President Johnson will enter Bethesda Naval Hospital to undergo gallbladder surgery on Friday. Fortunately, we have been assured by the top medical experts of the Nation that this is the least serious of major operations. There is minimal risk, although a convalescent period of from 10 to 14 days is normally expected. Similar operations have recently been successfully performed on some of our colleagues in the Senate.

In some respects, I believe this operation will be of double benefit to the health and well-being of our Chief Executive. The President is a restless, energetic man who has given of himself unsparingly to the most demanding office in the world. No President has worked harder and longer at this all-important post. But even the most dedicated and hard-working individual needs physical rest. The President will now get that rest—and knowing his restless, driving nature—this enforced rest is probably the only way it could be realized.

Meanwhile, the President has, with wisdom and foresight, briefed Vice President HUMPHREY and the Cabinet on the situation. While it is expected there will only be a few hours in which the President will not be able to conduct the business of his office, an agreement has been made for Vice President HUMPHREY to make any decisions that may be required during that period of incapacity.

It was with full knowledge that such moments might occur that President Johnson chose HUBERT HUMPHREY as his running mate in 1964. Those of us who have served with HUBERT HUMPHREY in the Senate know he is uniquely equipped to serve as Acting President, if that is necessary. President Johnson has seen to it that the Vice President has always been fully informed on all the diverse problems of the Presidency. As I said on August 26, 1964, on seconding the nomination of HUBERT HUMPHREY for Vice President:

> HUBERT HUMPHREY is ready for this great opportunity and this enormous challenge. He is progressive, yet prudent. He is compassionate, without weakness.
>
> He is experienced, yet enthusiastic. He is a man of vitality and judgment, character and wisdom.
>
> And above all, he is a team man, and I know that he will be of great comfort and assistance to the President of the United States.

The Vice President has more than fulfilled that description and now in a moment of temporary incapacity of the President, the Nation need have no qualms because we have a truly capable Vice President standing by.

Mr. President, the illness of the President dramatizes once again the extreme importance of the vice-presidency in these fast-moving and eventful times. Further it dramatizes the need for this session of the 89th Congress to provide the Vice President with an official residence before it adjourns. The Vice President will, for a time at least, have many more additional social, ceremonial, and administrative duties thrust upon him. He needs adequate quarters and an adequate home in which to meet these responsibilities.

I have sponsored legislation to accomplish this task immediately. Surely, it deserves our attention before we go home.

In that respect, the Washington Post of October 5, 1965, contained an editorial which commented directly on the need to complete action for an official vice-presidential home. I ask unanimous consent that the editorial from the October 5 Washington Post be inserted in the body of the CONGRESSIONAL RECORD at this point.

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

HOME FOR HUMPHREY

As eager as is Congress to wrap up the legislative session, there is still ample time to provide a residence for the Vice President. The official responsibilities, and consequently the stature, of the Vice President have so increased that few will argue any more against the desirability of providing him with an official home. Choosing a site is another matter. Fortunately, Senator SMATHERS has come forth with a proposal so clearly filling the bill that the slightest nod from the administration should facilitate its speedy acceptance.

The Senator wants the Vice President to take over the house on the Naval Observatory Grounds presently occupied by the Chief of Naval Operations. The location is ideal; it is already Federal property so only maintenance funds would be needed and the Vice President could occupy the mansion soon after the bill was approved. With the plenitude of military property in the area, there certainly would be no difficulty in finding an appropriate residence for the CNO in keeping with the residences of the other service chiefs.

The alternative to Senator SMATHERS' plan, Senator MONRONEY's bill calling for creation of a Commission for the Acquisition of an Official Residence for the Vice President, probably would only result in further procrastination. Both proposals have been discussed at Senate hearings. Now let the Congress act.

EXPANSION OF AMERICAN BEEF EXPORTS

Mr. MONTOYA. Mr. President, as a member of the Small Business Committee for the past 9 months, it has been my great pleasure to join with the distinguished chairman of the committee, the Senator from Alabama, Senator SPARKMAN, in his tireless search for ways and means by which American beef producers can increase their exports to Western Europe.

Coming as I do from a State where beef production amounts to 398 million pounds annually, this question is of vital interest to me and to my State, and I have devoted many hours to a study of the complex factors involved.

There is still much to be done, including more hearings later on this year which will, I hope, focus further public attention on the very serious questions

of discriminatory ocean freight rates, the lack of adequately equipped ships, docks, and facilities, and the need for aggressive development of our potential European markets.

However, we have already achieved remarkable export gains. Fresh and frozen beef exports in 1964 were 35,347,000 pounds, 4 times the 1963 total, and figures for the first quarter of 1965 indicate that we will do much better this year. Beef and veal exports increased by 101.2 percent in the first quarter of 1965, compared to the first quarter of 1964.

Shipment of live cattle has tripled in the first 9 months of 1965, compared to the full year last year. The figures are 4,469 for 1964 and 12,247 for 1965 through September 30.

Since World War I, we have not been an important factor in the world beef export trade. Discriminatory ocean freight rates, combined with rapidly increasing consumption at home, caused American producers and packers to concentrate on the domestic market.

There was little incentive to compete with producers in Australia or Argentina when shipping rates were as much as 294 percent higher to Americans.

But a rapidly rising standard of living in Europe and a reduction both in Europe's domestic beef production and in its normal import supply, made American producers aware about 18 months ago of a potential new marketing opportunity.

Mr. President, I ask unanimous consent that a table which demonstrates a major long-term gap between European production and European consumption, and consequently a fine export opportunity for this country, be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. MONTOYA. I believe we have already moved well to develop this potential. The President sent a Presidential Beef Export Mission to Europe to assess the possibilities in May of last year, and both the industry and the Department of Agriculture followed through with a number of trade missions and market development programs.

It is now certain that American beef can compete successfully in the European market. Exports of fresh and frozen beef and veal from the United States to the United Kingdom increased from 264,000 pounds in 1963 to 1,168,000 in 1964; from 326,000 pounds to France in 1963 to 2,015,000 in 1964; from 3,000 to Germany in 1963 to 109,000 last year.

An unpublished study by the Economic Research Service of the Department of Agriculture estimates that the outlook is for continued market growth for American beef for at least the next 5 years.

There are a number of reasons for this. Most important is Europe's rapidly rising standard of living, which is producing a rapidly rising demand for beef.

Although per capita consumption of beef has increased 53 percent in the European Economic Community nations—France, West Germany, Belgium, Holland, Luxembourg, Greece, and Italy—between 1955 and 1963, it is still only half that of the United States.

EEC economists forecast a further per capita increase of 36 percent in the next 5 years.

At present, Americans consume 105 pounds of beef per person, while Europeans consume 55.1 pounds.

Obviously the potential is there, and I believe that American producers will be able to obtain their fair share of this market. They have already made significant progress, as the most recent export figures show.

Reductions in ocean freight rates of approximately 25 percent which were established as the result of the Small Business Committee's hearings earlier this year have been of great assistance to the export trade.

Similarly, the 25-percent reduction in air freight charges for live calf shipments has helped a segment of the export business which has great potential.

Last year, this country shipped nearly 8,000 calves to Italy and other Western European countries by air. Unfortunately, shipments have fallen off this year because of handling problems which have developed but Department of Agriculture livestock men are sure these can be worked out. The demand is there, and this market's growth should match that of ocean-shipped cattle next year.

As I pointed out earlier, cattle shipped by boat have tripled in volume this year. Mr. Jay Taylor of Amarillo, Tex., who was Chairman of the President's Beef Export Mission to Europe last year, gave the committee an interesting example of American business ingenuity when he testified at our hearings earlier this year.

Ordinarily, live cattle are fed hay, which is very bulky and wasteful of space, while being transported by ship. But Mr. Taylor showed the committee a feed he has developed which is all protein and grain. It occupies much less space, and the steer will gain up to 20 pounds during the trip, worth some 40 cents a pound, so the cattleman recovers part of his shipping costs.

But European tastes in beef are still atuned to the less expensive, leaner, range-fed beef of the type produced in Argentina and Australia.

The mass demand in Europe is still for grades which are similar to our cutter and canner grades. Therefore, I believe our great opportunity in the immediate future lies in the development of and an appreciation for Choice and Good grain-fed American beef in Europe.

We must aim for the American tourist and the more affluent European, while at the same time we push a continuing education program which will widen this market.

The promotional campaigns now being carried out in Europe by the American Meat Institute and the Department of Agriculture deserve our encouragement and support.

Both these agencies, working in close cooperation, have planned a number of educational and promotional events in Europe and the United Kingdom this fall and winter.

Concurrently, we must continue to work for further reductions in freight rates, both on the high seas and domestically, if we are to establish a permanent export trade in beef. It was heartening to learn last week that ocean shippers have agreed to continue their experimental rate reductions beyond September 30, the original cutoff date.

In addition, there is need for extensive modification and modernization of dockside storage and handling equipment, and extensive modernization to ships, to handle a growing beef export trade.

We must be vigilant against efforts to create new barriers to American beef in Europe through overly restrictive regulations and inspection requirements.

While bending every effort to develop the fresh and frozen beef market, we must not neglect one in which we are already well established, that of variety meats—tongue, kidney, liver, and so forth.

In 1964, this country exported 156 million pounds of variety meats to the EEC countries, with a value of $32.5 million.

Mr. President, I ask unanimous consent that a table showing the growth of our variety meat exports be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. MONTOYA. In summary, Mr. President, the success of our efforts to develop a major beef export trade in Europe and the United Kingdom is dependent on a variety of complex factors.

But the potential value of this trade—estimates range upward of 200,000 tons and $170 million a year—makes it imperative that we do absolutely everything required to help it along.

To that end, I propose the establishment of a permanent U.S. Beef Commission to examine all aspects and all problems of the trade, and to recommend appropriate solutions.

Specifically, the Beef Commission should work toward the solution of the following problems, as well as others which come to its attention during its continuing studies:

First. A complete reappraisal and readjustment of inland freight rates—the rates from the point of production to the point of embarkation—is needed.

Second. It must work for elimination of the disparities which exist in ocean freight rates, and which damage American exporters. Our goal should be equal treatment in shipping costs.

Third. Encourage the American shipbuilding industry to make provision for modern refrigerated beef shipping space, both in new and existing vessels.

Fourth. Promote the availability of ocean transports for beef on the hoof.

Fifth. Remove the redtape which now entangles exporters when they grapple with the so-called health regulations of importing nations. We must develop uniform inspection and health regulations which will free the shipper of bureaucratic redtape.

Sixth. The Beef Commission must initiate an aggressive and comprehensive marketing program, including advertising, consumer education, trade fairs,

personal contacts and development of detailed knowledge of trade sources in Europe.

Once established, the Beef Commission will be able to provide the help and the expert knowledge that American producers and shippers need to obtain and to retain their fair share of the world market.

EXHIBIT 1

European Economic Community actual and projected production and consumption of meat, 1960–70

[In millions of metric tons]

	Production	Consumption
1960	8.7	9.1
1961	9.2	9.6
1962	9.7	10.2
1963	9.7	10.3
1964	9.6	10.9
1965	10.1	11.3
1966	10.3	11.7
1967	10.8	12.2
1968	11.4	12.8
1969	11.8	13.2
1970	12.4	13.6

Source: Adapted from data supplied by International Monetary Branch, Development and Trade Analysis Division, Economic Research Service, USDA.

EXHIBIT 2

Variety meat exports to the European Economic Community and the United Kingdom, United States, and major foreign competitors, 1961–64

[In thousands of metric tons]

	1961	1962	1963	1964
United States	56	57	72	105
Australia	(1)	18	29	21
Argentina	22	26	43	(1)
Denmark	10	11	10	10

[1] Not available.

Source: Foreign Agricultural Service, USDA.

THE INTERNATIONAL MONETARY SYSTEM

Mr. MONRONEY. Mr. President, Washington was host last week to world financial leaders at the annual meeting of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, and the International Monetary Fund.

Such news stories as I saw on the sessions were chiefly centered on possible reform of the international monetary system—hardly a subject to get banner headlines or to prompt hot arguments on our main streets. Many Americans were unaware of the meeting.

Mr. George Woods, president of the World Bank, by his courageous and thought-provoking opening address to the delegates of this world body squarely posed the problem of the rich nations getting richer and the poor developing nations remaining static or even sliding backward. This was not scheduled to be the business of the World Bank meeting but with President Woods launching of the problem and its dire need toward doing something about it in his opening speech he stimulated much discussion in the financial world and even more in the Nation's press.

Mr. Walter Lippmann, a very wise man, tells us the session will be historically important because it opened up officially a problem crucial to world peace, and thus vital to each of us. In his syndicated column, he cites the "grim and dangerous contrast" between the advanced countries and the underdeveloped countries, and the financial arrangements which lead the rich to become richer and the poor to become poorer. He calls the growing inequality between them the paramount problem of mankind.

Mr. Lippmann's clear and logical outline of what the world's bankers faced thus becomes important to all of us who must face our own Nation's part of a global problem. I ask unanimous consent to insert his column in the RECORD with my remarks.

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

[From the Washington Post, Oct. 5, 1965]

THE RICHER AND THE POORER NATIONS

(By Walter Lippmann)

The bankers and monetary experts who met in Washington last week did not at the time seem to be doing very much. Yet, in the large perspective of time their meeting may well come to be thought of as historically important. For the report of the World Bank and the address of its president, Mr. George Woods, opened up, as officially it has never been opened up before, the problem which is crucial in the promotion of world peace—the problem of the relationship between the richer and the poorer nations of the globe.

This was not the advertised theme of the meeting. Generally speaking, attention was focused on how much progress could be made toward an agreement on the reform of the international monetary system. This would be an agreement essentially between the United States and Britain on the one hand and the continental European bankers on the other. There was no substantial progress toward such an agreement, and for that reason, the international meeting seemed rather uninteresting and unimportant.

But we can see in retrospect that there was no good reason to expect much progress on monetary reform. The question posed to the bankers was what kind of effective and adequate substitute they would agree to provide for the dollar deficits, now that, as President Johnson told them, "the long period of large U.S. deficits has come to an end." The bankers did not provide the substitute. The reason was, no doubt, that there is no immediate crisis due to a shortage of international money, that there are unresolved conflicts of interests among the rich nations as to who shall control the creation of new reserves, and last, but not least, that the European bankers are by no means convinced that the United States will in fact put a permanent end to its deficits.

Although there were some useful technical and procedural agreements for further study, nothing was settled because the bankers were asked to find a theoretical solution—which might not need to be applied for a long time—to a problem which was hypothetical, since our deficits are not yet permanently ended.

The other and largely neglected activity of the meeting has been to confront the governments and people of the world with the grim and dangerous contrast between the advanced nations in the northern hemisphere and the underdeveloped countries in the rest of the world. In the World Bank's masterly treatment of the subject, "the developed countries," which have market economies and are non-Communist, include the United States and Canada in North America, Japan in Asia, the industrialized countries of Western Europe. The developing countries include all of Asia except Japan and the Sino-Soviet bloc, all of Africa except South Africa, all of Latin America, and in southern Europe, Turkey, Yugoslavia, Greece, Spain, and Portugal. Leaving out Russia and China, these developing countries include 70 percent of the people of the world.

In varying degrees they are all in trouble. There is every reason to believe that, without a great change of feeling and policy in the developed nations, the underdeveloped nations face a dismal future. Insofar as they remain weak and disorderly, they will attract the rivalry for influence and power of the great powers.

Although there are many differences among the underdeveloped nations, the one weakness they have in common is that with only rare exceptions—those rich in oil and some minerals—they cannot earn enough by their exports to provide the capital they must have for their own development.

The developed nations buy about three-quarters of the exports of the developed nations. Since the Korean war, the main trend, with only a few years' exception, has been toward rising prices for manufactured goods and declining prices for raw materials. For many, if not for all, of the developing countries their earnings from exports are not sufficient to keep up with the growth of population. Relatively speaking, the rich are getting richer and the poor are getting poorer.

In secular terms, this growing disparity is the paramount problem of mankind, and it is in the context and environment of this disparity that the problems of war and peace will have to be worked out.

This disparity cannot be overcome by preaching and exhorting the developing countries to pull themselves up by their own bootstraps. They cannot and will not do that—certainly not unless they pass through the ordeal of some kind of Stalinist dictatorship. There is again no good prospect that the terms of trade can be reversed by commodity subsidies and stabilization agreements. The only solution is that the rich countries make available to the poor countries the foreign exchange which they can usefully employ to make themselves self-sufficient. This is estimated to be about $4 to $5 billion a year more than is now going out to these countries.

Considering that the gross national product of the developed countries, not including the Soviet Union, rose to over a trillion dollars ($1,100 billion) in 1964, this increased help is really a trifling amount. It would, of course, best be raised and transferred collectively, rather than by any one country such as the United States, and in this work the Soviet Union should, as the President suggested, participate.

Unless the richer countries can rouse themselves to such an indispensable action, they should cease to pretend that they really care about peace among men.

LOCATION OF INDUSTRY IN RURAL AREAS

Mr. RUSSELL of South Carolina. Mr. President, the very able president of the Campbell Soup Co., Mr. W. B. Murphy, made a speech recently in Detroit in which he discussed the location of industry in the rural areas of the Nation.

I was immensely pleased as Governor of South Carolina to assist the Campbell Soup Co. in locating a large, new food processing facility in my own State in the progressive community of Sumter, S.C.

Mr. Murphy refers to this plant, now under construction, in Sumter, one of the outstanding communities in my State. I want very much for the Senate and the Nation to know of the fine experience which Campbell has had in South Carolina and to know of the factors which went into the decision to locate a plant there.

I ask unanimous consent to have Mr. Murphy's remarks printed in the RECORD.

I also ask unanimous consent to have an editorial from the Capital City morning newspaper, the State of Columbia, S.C., printed in the RECORD. It is a fine commentary on Mr. Murphy's remarks.

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

THE RURAL-URBAN BALANCE

(Remarks made at meeting of the Economic Club of Detroit, Sept. 20, 1965, by W. B. Murphy, president, Campbell Soup Co.)

Michigan is well known throughout the world for its metal working industries, of course. But to those of us in the food industry, it is equally renowned for its high-quality agricultural production and for its position as a leader in education relating to foods. The food industry leans heavily on Michigan farms for a wide variety of ingredients and on its great universities for teaching and research in agriculture, biology, and food distribution.

When one is in the food industry he is likely to find it advantageous and usually necessary to keep closely attuned to the people of our country if for no other reason than that there's a well-established custom of eating foods at least three times a day. Also, the food habits of population are pretty decisive in the success or failure of a food business.

There are two subjects relating to food and people that are much discussed these days and that are of concern to anyone who is thinking of the future. The first of these is the country's and the world's ability to provide the necessary food as population shoots upward; and second, the adequacy of water supplies.

A third subject is less discussed but just as vital—the continued shifting of population from the farms and small rural places to the mammoth metropolitan areas. To a food processor who deals with and is dependent on the farmers in the rural areas, this shifting of people and what it means is a matter of more than small importance.

Today I should like to discuss briefly the first two of these subjects; namely, food production potentials and adequacy of water supply and then deal with the question of where people are going to live and work.

Now, there are many predictions about the things to come. Undoubtedly one of the least unreliable has to do with the future population trend. It is estimated that the population of the United States will come close to doubling and that of the world about double over the next 35 years; that is, by the year 2,000. This sounds like the distant future, but actually it isn't so far off. A growth rate of 2 percent per year means doubling in 35 years.

Can this vastly greater population be fed? This is a complicated subject in itself. There is a different answer for North America than for Asia or South America. For North America, the answer is an unequivocal "yes." For some parts of the rest of the world, the answer hinges on economic, educational and political accomplishments more than on the technical question of the earth's food production potentials. Since food supplies are inadequate now in Asia, the future for food is that part of the globe is full of problems. For the rest of the world, the situation is less questionable.

I believe it is not too difficult to raise food production to a much higher level. The world's arable land is about 6.6 billion acres and only about 3 billion are used for agriculture. Furthermore, substantial progress is being made in reducing the huge crop losses caused by insects, viruses, predators, weeds, and nematodes and there are continued improvements in the techniques of crop production. A combination of reduced losses and better growing methods means that the yield per acre generally can climb to much higher levels. The agricultural productivity in large areas of our country and in many countries of the world is not near its practical limit and will rise as modern agricultural research and development is applied to meet local conditions.

For example, a careful program of agricultural research in Mexico, sponsored by the Rockefeller Foundation, boosted corn and rice crops and enabled that country to become self-supporting and, in fact, an exporting nation for wheat, sugar, and cotton. Mexico is now engaged in a well-rounded research program that is showing fine results for many other crops. In the United States and Canada, the yields per acre for a long list of grains and vegetables have more than doubled since World War II and can go much further with research work now underway. The productivity figures for cattle and poultry have also climbed rapidly. Genetics research can bring resistance to some of the crop debilitating factors. Crop-growing experiments result in improved growing methods. Chemical research is producing means for more effective disease and predator resistance and for weed controls.

The adequacy of water for a population that will nearly double over the next 35 years is vital to the food industry for the simple reason that 40 percent of the water used in the United States today is for irrigation. If a higher percentage of our arable land is to be planted, a primary concern is water supply. The subject of water is just coming into its own as a national problem. The 3-year below-normal rainfall in the Northeast States triggered this sudden general interest, although water as a subject of major national and regional concern would have come to the forefront in any event sooner or later.

There is plenty of water for a doubled population and much more if water supply and its distribution is given attention. It is a sure thing that we are going to have to pay a little more for water in the future. Unmetered homes, unlined irrigation ditches, undistributed surpluses, uncaptured rain and snow run-offs, and untreated waste water, of necessity, will be frowned upon, and as a result, water supplies will probably be adequate for the foreseeable future.

The third subject for discussion here, namely increased population, is more difficult to deal with than food production potentials and water supply. Where is this increased population going to live and work? If the present trend toward greater and greater population concentration continues, there will be rather drastic environmental effects on most of us having to do with the way we live—our taxes and our peace of mind, among other things. Incidentally, the entire September issue of Scientific American is devoted to the problems of the metropolitan areas viewed from the standpoint that big cities will get bigger and bigger.

Why would a businessman and a food processor worry much about population trends as long as they're going up? There are at least two good reasons.

1. As a food processor, he is vitally concerned with the need for continuing increases in crop yields per acre, not only to raise food production, but to help hold consumer food prices. This increasing productivity, involving as it does fewer and fewer farms producing larger and larger crops, carries with it the problem of surplus farm and small town population.

2. As a businessman and taxpayer, he must be interested in the massive problems and in the costs to convert the metropolitan centers into attractive, livable places.

Last March, President Johnson sent a message to Congress on housing and cities. He said:

"Over 70 percent of our population—135 million Americans—live in urban areas. A half century from now 320 million of our 400 million Americans will live in such areas. And our largest cities will receive the greatest impact of growth. In our time, two giant and dangerous forces are converging on our cities; the forces of growth and of decay. Between today and the year 2,000, more than 80 percent of our population increases will occur in urban areas. During the next 15 years, 30 million people will be added to our cities. Each year, in the coming generation, we will add the equivalent of 15 cities of 200,000 each."

Plans are already being considered for the huge metropolitan areas of Boston, New York, Philadelphia, and Baltimore-Washington; for the enormous metropolitan areas centered by the cities of Chicago, Detroit, Miami, San Francisco, and Los Angeles. These plans involve much needed programs for clean-up, rehabilitation, and upgrading. People are to be stacked on top of each other in innumerable large apartment projects—distances from suburbs to city centers will increase, breakfasts will be served earlier and dinners later, transportation needs will soak up vast areas of valuable urban and suburban property.

This picture of greater and greater population concentration is to me unpleasant and expensive, and I would hope, not inevitable. It makes for a more impersonal existence, higher taxes, more Government controls, and in most ways what can be considered a distorted existence, at least by the standards we know today.

Yet, we are on our way to this rather dismal prospect if we continue for the next 35 years the trend toward urban concentration that has characterized the past 35 years.

Thirty-five years ago, the farm population was approximately 30,500,000 people. In 1965, it is about 12,500,000. Farm population was almost one-fourth of our population 35 years ago, whereas today it is only 6½ percent. In contrast, the metropolitan areas with populations of over 1 million totaled 43 million people in 1930 and today about 80 million. The reduction in the farm population has come about through the tremendous productivity improvements in farming, the sharp reduction in numbers of small farms, plus the job opportunities offered in the big cities for people who had difficulty making a living in the rural areas.

An analysis of population figures by counties shows what has been happening. Counties with less than 25,000 population not contiguous to metropolitan areas represent 61 percent of all counties—they also have 61 percent of the land area but only 12 percent of the population. Counties with 25,000 to 100,000 population and not in metropolitan areas represent 26 percent of all counties and 20 percent of the population. Adding these together yields 32 percent of the population as against 42 percent 35 years ago, yet they represent 88 percent of all counties and a corresponding proportion of the land area.

Now, let's look at the metropolitan areas of 1 million or over. There are 164 counties in this category that represent less than 5 percent of the land area but have 41 percent of the population. This population has gone up in a disproportionate amount over the last 35 years. If we examine the record on distribution of employment in manufacturing establishments, the most recent count

shows that the metropolitan areas have 48 percent of the total.

We know that the combination of metropolitan industrialization and scientific farm developments has caused many millions of rural people to go to the metropolitan areas. What problems we created for ourselves. Had industry expanded by decentralization to a far greater extent than now is the case, and had it gone into the thousands of small cities and towns, the rural citizens who could not make a living on their farms could have found jobs in local industry and the overcrowding of big city areas would be far less.

This isn't a phenomenon of North America. The vast slums of Caracas, Mexico City, and Lima, for example, are made up to a considerable degree of families from rural sections who are attracted to the possibility of jobs in the industry that clusters in metropolitan areas. One day the merit of industrial decentralization will be recognized throughout the world and those from the poor farms will find jobs in plants located near their homes.

I believe it is in order to suggest that in the United States of America the disproportionate industrial concentration in the metropolitan areas not go further and further and also to suggest that manufacturers can do themselves a favor and our country a service by allocating a fair share of their new plants to the rural areas.

We already have critical urban problems. Those problems will be compounded if the trend toward the metropolitan areas that characterized the past 35 years continues into the future.

In this city of Detroit, there is an aggressive urban renewal program led by Mayor Cavanagh that obviously is badly needed and which illustrates the kind of attack that must be carried on in all major cities. But Detroit doesn't need to have further migrations from the rural areas.

Philadelphia, where I live, is also making strenuous efforts to upgrade its character and also has a long struggle ahead. It too doesn't need further migrations from the rural counties. The conditions in New York, Chicago, and Los Angeles are too well known to need description here.

It is estimated, and I think it is a reasonable estimate, that over the next 35 years, while our population will double, the number of farms will decrease from today's 3,300,000 to about 1,500,000 and that farm population will drop from today's 12½ million to about 6 million. Since in 35 years the 12½ million will nearly double to approximately 24 million, and farms will then need only 6½ million, this means a surplus of about 18 million. These are conservative figures. Other estimates indicate that there will be only 1 million farms and a farm population of only 4 million. There is no estimate for the future reduction in numbers of people in rural towns serving the farm population. This reduction easily can match in numbers the surplus from the farms. The trend to fewer and fewer farms and lower farm and other rural population has been going on for many years and shows no sign of abating.

This does not mean that our crop production will be less—in fact, it will be far higher but it will be done by much larger farms and by further farm mechanization and other crop productivity gains. I am not suggesting that we are going to have farm factories. An overwhelming proportion of our farms undoubtedly will be family farms as they are today, but these will be family farms of much larger acreage, operated with more sophisticated machinery and with fewer work-hours per unit of crop production. In 1930, the average value of a farm was $10,900—today, the average value of a farm is $68,000. It is estimated that 35 years from now the average value of a farm will be $200,000 or more. This means that there will be fewer farms and millions of people from small farms and rural towns will be looking for jobs. If the trend of the last 35 years continues, they will go to the large cities and mostly to the metropolitan centers.

Farming is an exciting occupation when the farmer has good education and training and when the farm has the potential to be profitable. This means a sizable acreage, high production modern farm machinery, funds for fertilizing and spraying, and ample water supply.

But it's no fun being a break-even or loss farmer and so over the last several decades there has been an evolutionary change entailing large, year-after-year reductions in small farms. This will continue, in all probability, until there remains a hard core of well educated, high income farmers. Speaking as a taxpayer, this will be a good thing in more ways than one.

The fact that there is considerable unemployment in the poor sections of big cities would seem to argue for concentrating new plants in such areas. This seems to me to be a superficial conclusion. There are plenty of job opportunities now in the big cities for trained people.

The principal problem of the unemployed is lack of education. Educated people do not have trouble getting jobs and this applies to all nations and all races. Our unemployment is heavily concentrated in the ages of 16 to 25 and primarily among those without good education or training. Motivate these young people to want an education, to want to work and to want to be trained, and the vast employment opportunities now existing in big cities will be available to them.

If most of the new manufacturing plants are loaded into the metropolitan areas, this won't solve the unemployment problem of the uneducated, but it will cause millions more from the rural counties to drift to the big cities to look for jobs.

You might ask what will stop this greater and greater big-city concentration. People are going to move where they want to and the mobility of the American people is well established. If the jobs are available in the metropolitan areas, the people are going to those jobs. By the same token, if jobs are available in the thousands of small towns and cities away from the metropolitan areas, I think most of the people in these rural areas will not move. They will prefer to live in the circumstances in which they were raised. People everywhere can read. They see television and they read the papers. They know about urban crowding and the urban crimes. They also know that smaller places are friendly. They know that in the small town or city it takes only 5 to 15 minutes to travel between home and work. Generally, parking is not a problem. For those who golf, the golf course is near enough to their place of work to permit nine holes before dinner. If one likes to hunt and fish, the hunting and fishing frequently are quite handy also. If one runs into trouble, the neighbors will help and not look the other way.

Of course, those of us who travel a good deal find much of this industrial decentralization going on right now. Industrial plants are springing up in many places throughout the country, but they are also still springing up in the metropolitan areas as well and in greater proportion. At the present time, we have a continuation of the trend to greater and greater big city crowding.

For the most recent 10-year period for which figures are available, that is 1952–62, the number of business establishments of all kinds, manufacturing, and nonmanufacturing combined, that had over 100 employees, increased from 50,900 to 57,000. Over 48 percent of that increase took place in the already overcrowded 164 counties that represent metropolitan areas.

To place this in another perspective, by the latest figures available, the number of people employed in manufacturing plants in the rural counties is about 1.1 million and has gone up only 450,000 in 20 years. The number of people in manufacturing plants in metropolitan areas is 8.5 million and has gone up 3.4 million in 20 years, over seven times as much as in the rural counties; so 5 percent of the land and 5 percent of the counties have had seven times as many new jobs as the rural 60 percent land area. This is concentration and overcrowding with a vengeance.

If manufacturers were to schedule a fair share of their new plants to the small places distant from the metropolitan areas as suggested here, this could well bring down the wrath of the metropolitan chambers of commerce and metropolitan real estate promoters, but it shouldn't. Even if there were no more manufacturing plants built in the already overcrowded urban areas, there is still more cleaning up to do, more building expansion, more growth in the urban centers than probably can be handled well.

Most of our urban centers now have very difficult water and sewage problems. All of them need housing improvements. Their educational facilities, which should be first-rate to cope with big city problems, are, in general, far from that much-needed level. This applies to the situation today. Without a further disproportionate share of new manufacturing plants added to metropolitan centers, the load on transportation, on water and sewage systems, on housing and on education will be vastly greater in the future for the very simple reason that the metropolitan centers will have constantly rising populations and greater demands on contiguous business.

It happens that there is an enormous segment of the business complex that can't be disassociated from the great population of the metropolitan centers. I refer here to the services industry which includes retailing, wholesaling, utilities, transportation, construction, entertainment, banking, insurance, and all of the other types of services that are necessarily indigenous to the population. They must be located where they are needed. It also happens that the services part of our economy is our fastest growing portion and now exceeds in employment the manufacturing part.

The metropolitan areas will have their hands full adjusting to the growth in the services industries without further massive manufacturing plant loads.

I am not so naive as to think that in this area of industrial development and population growth that everything is cut and dried. In my company, for example, we now have five plants in metropolitan areas. We are in the process of some necessary expansion in three of these plants. We have rehabilitated all of them in order to raise their productivity.

I do not think for the future that it would possibly come about that all new manufacturing plants could be located in the counties of smaller population, but I would hope that a greater portion would be so located than has been the case in the past so that the work force made available by the reduction in numbers of farms would not have to move to the metropolitan areas to find work.

Assuming it to be desirable, how is this scattering of new manufacturing plants to be accomplished? In England and France, for example, it is done by government fiat. Belgium has a most effective voluntary program that stresses the logic of utilizing available rural labor, lower taxes, and low-cost real estate. I think in our country decentralization is now going on to some extent and will be done to a much greater degree as the relative merits of locating in small rural-type communities become more apparent to our manufacturing companies. Lower

costs will be an important factor and here I do mean labor rates, except as they reflect lower living costs.

There are many places in our country where manufacturing can be located away from the metropolitan centers. Of the Nation's 28,800 manufacturing establishments with over 100 employees, only 2,062 are located in these rural counties. This is about one such plant per county. Now it is true, of course, that a part of this land is represented by mountainous or desert areas, but even if we allow for this, there are literally thousands of small places hungering for manufacturing industries. Also, most counties away from metropolitan areas, that have 25,000 to 100,000 population, are far from being overcrowded with manufacturing plants.

Using our company as an example, we recently completed construction of a million-square-foot plant that will ultimately require about 1,500 people in Paris, Tex., a community of about 21,000 people. This was a very close decision as we had dozens of opportunities to go into small places in Texas where conditions were adequate in all respects. We were in the happy position of being able to choose one out of at least a dozen excellent communities. We are now constructing a plant in Sumter, S.C., a town of 23,000. This plant could have gone into any one of fifty locations in the southeastern part of the country, all with adequate land, labor, water, utilities, etc.

I could give examples of other such plants in Ohio, Maryland, Indiana, Minnesota, Nebraska, Arkansas, and California. These plants are located in towns as small as 2,000 population. In these places, employees are sometimes drawn from a radius of 15 to 20 miles. In the past 15 years, our medium-size company has added roughly 14,000 employees in smaller communities as our business has expanded. This has meant that some 50,000 to 60,000 family members have been held in their home communities rather than forced to drift into larger places looking for jobs plus at least that number of people in the services industries dependent on money circulating from those families.

Of course, there are some obstacles to operating manufacturing plants in small cities and towns. The difficulties might be considered to be these: lack of management and executive personnel, reluctance of some company executives or their wives to take assignments in small communities, lack of trained mechanical workers, inadequate utilities, and lack of construction work forces. Of all of these, the most serious one is the possibility of inadequate utilities. It may be necessary to put in one's own water or sewage system. This is an extra cost, of course, but we have found it to be more than offset by the lower tax rates. The matter of the lack of trained people is a myth in my opinion. The men and women from farms and small towns tend to have good work habits because of their way of life and their early training. Our organization at Paris, Tex., for example, where we took a green force from scratch and trained it to handle some of the fastest metalworking machines, such as, can body makers and aluminum presses, and intricate electrical devices, such as electronic sorting machines, automatic controls and computers, developed the necessary skills in at least as short a time as is par for the course in urban centers.

Being the main industry in a town has many advantages but also I suppose has the disadvantage of being constantly in the spotlight. However, an industry that deals fairly with its neighbors and employees has lots of friends. This can be important during critical periods.

Small towns cannot compete with large centers for cultural activities—the theater, museums, concerts, lectures, etc.—but I don't think this is a critical matter. There are fast airplane services, national magazines, national newspapers, and national radio and television, but most of all, the fast and frequent means of travel permits those who live in small places to visit large cities with great ease and at low travel cost. And, I suppose, we might put forth the advantages of communing with nature as being a cultural advantage favoring the small town.

If someone should ask us whether rural places and small towns can equal the urban centers as the spawning ground for business, government, education, and scientific leaders, the record to date indicates that the answer is "Yes." For example, of the 100 presidents of the country's leading industrial firms, 23 were born in metropolitan areas, but 41 came from small towns or rural communities. Of the 100 U.S. Senators, only 13 came from metropolitan areas, while 59 came from the predominantly rural counties. For the President and his Cabinet composed of 12, only 3 came from metropolitan areas, and 5 came from rural places. Of the 20 heads of the Nation's leading colleges and universities, only 3 were born in metropolitan areas, while 12 came from small towns and farms. Of the 20 top men in the National Academy of Sciences, which includes 11 members of the Council and 9 division chairmen, 4 were born in metropolitan areas, while 9 were born in small places. This does not prove that the rural counties are better than the metropolitan areas for developing future leaders, but it does indicate pretty persuasively that there is no disadvantage to being born and brought up on a farm or in a small rural town.

I think I have certainly shown a leaning toward locating a fair share of manufacturing plants away from the big population centers at this stage in our country's development. My purpose has not been to disparage the big city, but rather to indicate the importance of avoiding further unnecessary overcrowding and additional distortions in our already mammoth centers that will result through failing to provide jobs in the rural counties for the coming millions from these rural counties who will need nonfarm jobs.

[From The State, Columbia, S.C., Sept. 24, 1965]

FARM AND FACTORY

Three cheers for W. B. Murphy and his refreshing view of rural America in an industrial age.

Mr. Murphy is president of Campbell Soup Co., one of South Carolina's latest bluechip corporate citizens. He also is a champion of a point of view which gives both credit and confidence to Americans who live on the farms in the small towns which dot the hinterland.

He harbors no hostility against big city folk. On the contrary, he probably casts a loving eye on the teeming millions who inhabit our metropolitan centers, since they constitute the greatest market for his products. But when it comes to the business of locating industrial plants, Mr. Murphy correctly sees that further industrialization of big cities will simply add to urban congestion, confusion, and complexity.

He advocates a decentralization of industry, with particular attention being paid to the placement of plants in less-populated areas. His company's decision to locate a Campbell's plant at Sumter is a case in point. His thinking and the corporation's policy serve the double-barreled purpose of reducing urbanization while stimulating economic progress in rural areas.

Just this week, Mr. Murphy voiced this concept before the Economic Club of Detroit in these words:

"If jobs are available in the metropolitan areas, the people are going to those jobs. By the same token, if jobs are available in the thousands of small towns and cities away from metropolitan areas, I think most of the people in these rural areas will not move. They will prefer to live in the circumstances in which they were raised."

That attitude is not new in South Carolina, for many textile and other firms already have built thriving factories far from the cities of our State. Their decision has been vindicated, for the productivity of these out-of-town plants has surpassed their fondest hopes in almost every instance.

Mr. Murphy himself pointed out to his Detroit listeners that the work habits of men and women from the farms and small towns make them productive employees in industry. Many a country boy (or girl) can testify that the 40-hour workweek of industry is a welcome relief from the dawn-to-dusk labor down on the farm.

Furthermore, industrial work hours make if possible for many an employee to do a little farming along with his factory work, at least to the extent of maintaining a garden and perhaps some livestock and poultry.

Mr. Murphy and Campbell's Soup are not blazing any novel trail in South Carolina, but their obvious dedication to the idea of rural industry adds stature and stability to a concept which can mean much to the entire Nation.

We naturally are interested in seeing the pattern followed in South Carolina and the South. But the larger view envisions a similar application all over America, with the inevitable result that the Nation as a whole will benefit from the strengthening of the agricultural economy and the stabilizing of the rural population.

Making good-paying jobs available within easy reach of rural folk is one answer—perhaps the best one yet—to the recurring question of slowing the rush from country into the city.

THE CHINA CLIPPER

Mr. INOUYE. Mr. President, today I wish to add my voice to those hailing the 30th anniversary of the historic flight of Pan American Airways over the Pacific Ocean to Hawaii and beyond to the Orient shores of that sea.

When the China Clipper rose from the waters of San Francisco Bay on November 22, 1935, its first destination was Hawaii—my land and now my State.

Such was the precise planning of the men who directed Pan American Airways and the men who flew those early flying boats, that the China Clipper settled on the water at Honolulu practically on the minute of her scheduled time.

Up until that flight, which was the first commercial scheduled flight to cross any of the earth's major oceans, the only airplanes that had flown the 2,400 miles that separate Hawaii from the mainland were daring stunt flights.

We all recall the Dole flights. We remember the remarkable feats of Sir Charles Kingsford-Smith, the valiant Australian. These flights were once-only, special flights with special preparations in the way of extra gas tanks and no mail or cargo.

In its way Pan American's first flight was a special flight. There were special preparations for it. Eight years of over-ocean flying experience lay behind it, from those first days in 1927 when the young Juan T. Trippe launched the first regular flights from Key West 90 miles to Havana.

In those 8 years Pan American had expanded down through Central and South America and into the Caribbean. They were years of the application of sound

engineering to flying, of scientific building of aircraft capable of safe, long-range trips. They were years of developing new techniques in radio and navigation.

Ever since 1919 when the 20-year-old Juan Trippe was fresh out of the Navy air arm of World War I, this youth had thought of a day when flying would be a regular means of communication and not a thing of barnstorming pilots flying from cow pastures in Jenny biplanes.

He felt that with the American genius for planning and construction, and the American spirit for overcoming obstacles, there was no part of the world that could not in time be reached by regular and dependable air service.

This, then, is what he and his colleagues provided in the Pacific in 1935, by pioneering the air route between the mainland and Hawaii, thus starting a trend that today makes me proud of representing the 50th State of the Union.

That first flight of the China Clipper—an enormous flying machine in its day with four of the most powerful engines then developed—reached Hawaii in 20 hours. It was aptly named a "Clipper" for it carried on in the air the tradition of those Yankee clipper ships which in the days of sail were the fastest things afloat on the vast oceans of the world.

Sailing ships had yielded to steam in those days 30 years ago. Yet it took the fastest steamer almost 5 days to make the voyage from San Francisco to Honolulu. Here in one abrupt leap the time distance separating my islands and the mainland had been cut to one-sixth or less overnight.

Since that day this pioneering airline has continued to spur the design and production of yet faster airplanes. The China Clipper, which was a Martin M-130, gave way to the Boeing B-314 Clipper, larger and faster, bringing Hawaii still closer to the mainland.

During World War II this fast route to Hawaii became an aerial lifeline, with Pan American's great planes flying men and military supplies of the highest priority.

After the war, with the advent of suitable landing fields, Pan Am introduced faster land planes—the DC-4, the Constellation, and the Boeing Stratocruiser. The time was cut to 12, to 11, to 9 hours.

Then, with the 350-mile-an-hour DC-7's, to 7½ hours. In 1959 when Pan American was first to introduce jets on the run, the time was cut to the present 5 hours.

Five hours. Five hours against the 5 days of just 30 years ago. Days turned into hours. The 50th State brought next door. The meaning of this to Hawaii has been incalculable. It has brought us visitors, first in the thousands, then in the tens of thousands, and now in the hundreds of thousands per year.

Pan Am's leadership was not only in speed and safety. It has pioneered in reducing the costs of air travel. Another idea of Juan Trippe's was to help bring about the day when air travel could be brought within the range of the man of average purse. And now we are seeing that day in tourist travel to Hawaii. Secretaries can spend their vacations in the fragrance of ginger blossoms and Plumeria flowers—by the golden sands of Waikiki and in the neighbor islands of Hawaii, Maui, and Kauai.

New hotels have risen on the beaches of the neighbor islands and the jets of today bring over the visitors to fill them. Yet there are vast areas of open country, miles of vacant sandy beaches still open in our State. The potential has hardly been tapped, even with a tide of visitors now grown beyond the half million a year point.

The airplane did this, thanks to its ability to bring the cost of travel down to the level of the wage earner. In the early days of Pan Am's air service to Hawaii the one-way fare was $360 when the dollar was worth at least three times what it is today. In other words it was the equivalent of $1,000 in today's money.

Yet today the fare from the mainland to Hawaii has been brought down to just $100. The travel time reduced from 5 days to 5 hours, the fare reduced to a tenth of what it was—and all in just 30 years.

No wonder our land has burgeoned. No wonder it has joined the Union as the 50th State.

Such is the air age ushered in just 30 years ago by that historic flight of Pan American Airways.

POPE PAUL'S VISIT HAS LEFT ITS MARK

Mr. CHURCH. Mr. President, Mary McGrory, for the Washington Evening Star, writes:

America's first papal visit began in uncertainty on both sides and ended in glowing satisfaction all around. It also helped to define the personality and purpose of Pope Paul VI better than any episode of the pontificate he assumed 3 years ago. His commitment is to the United Nations; his mission is world peace.

It was my great privilege, Mr. President, to have been present in the chamber of the General Assembly at the United Nations when Pope Paul delivered his historic message. I was struck by the fervor of his plea for peace, and by the strength of his endorsement of the United Nations. He not only called it "the last hope of concord and peace," but described it as a "bridge between peoples" helping "to hasten their economic and social progress."

Mr. President, I ask unanimous consent that the full text of Pope Paul's eloquent address at the United Nations be printed in the RECORD.

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

TRANSLATION OF POPE'S ADDRESS AT U.N.

As we commence our address to this unique world audience, we wish to thank your Secretary General, U. Thant, for the invitation which he extended to us to visit the United Nations, on the occasion of the 20th anniversary of the foundation of this world institution for peace and for collaboration between the peoples of the entire earth.

Our thanks also to the President of the General Assembly, Mr. Amitore Fanfani, who used such kind language in our regard from the very day of his election.

We thank all of you here present for your kind welcome, and we present to each one of you our deferential and sincere salutation. In friendship you have invited us and admitted us to this meeting; and it is as a friend that we are here today.

We express to you our cordial personal homage, and we bring you that of the entire Second Vatican Ecumenical Council now meeting in Rome, and represented here by the eminent cardinals who accompany us for this purpose.

In their name and in our own, to each and every one of you, honor and greeting.

This encounter, as you all understand, marks a simple and at the same time a great moment. It is simple because you have before you a humble man; your brother; and among you all, representatives of sovereign states, the least invested, if you wish to think of him thus, with a minuscule, as it were symbolic, temporal sovereignty, only as much as is necessary to be free to exercise his spiritual mission, and to assure all those who deal with him that he is independent of every other sovereignty of this world.

But he, who now addresses you, has no temporal power, nor any ambition to compete with you. In fact, we have nothing to ask for, no question to raise; we have only a desire to express and a permission to request; namely, that of serving you insofar as we can, with disinterest, with humility and love.

FIRST DECLARATION

This is our first declaration. As you can see, it is so simple as to seem insignificant to this assembly, which always treats of most important and most difficult matters.

We said also, however, and all here today feel it, that this moment is also a great one. Great for us, great for you.

For us: you know well who we are. Whatever may be the opinion you have of the Pontiff of Rome, you know our mission.

We are the bearer of a message for all mankind. And this we are, not only in our own personal name and in the name of the great Catholic family; but also in that of those Christian brethren who share the same sentiments which we express here, particularly of those who so kindly charged us explicitly to be their spokesman here.

Like a messenger who, after a long journey, finally succeeds in delivering the letter which has been entrusted to him, so we appreciate the good fortune of this moment, however brief, which fulfills a desire nourished in the heart for nearly 20 centuries.

For, as you will remember, we are very ancient; we here represent a long history; we here celebrate the epilog of a wearying pilgrimage in search of a conversation with the entire world, ever since the command was given to us: Go and bring the good news to all peoples.

Now, you here represent all peoples, allow us to tell you that we have a message, a happy message, to deliver to each one of you and to all.

1. We might call our message a ratification, a solemn moral ratification of this lofty institution. This message comes from our historical experience.

As "an expert in humanity," we bring to this organization the suffrage of our recent predecessors, that of the entire Catholic episcopate and our own, convinced as we are that this organization represents the obligatory path of modern civilization and of world peace.

In saying this, we feel we are making our own the voice of the dead and of the living; of the dead who fell in the terrible wars of the past; of the living who survived those wars, bearing in their hearts a condemnation of those who would try to renew wars; and also of those living who rise up fresh and confident, the youth of the present generation, who legitimately dream of a better human race.

And we also make our own the voice of the poor, the disinherited, the suffering, of those who hunger and thirst for justice, for the dignity of life, for freedom, for well-being and progress. The peoples of the earth turn to the United Nations as the last hope of concord and peace; we presume to present here, with their tribute of honor and of hope, our own tribute also. That is why this moment is great for you, also.

2. We feel that you are already aware of this. Harken now to the continuation of our message. It becomes a message of good wishes for the future. The edifice which you have constructed must never fall; it must be perfected, and made equal to the needs which world history will present.

You mark a stage in the development of mankind from which retreat must never be admitted but from which it is necessary that advance be made.

To the pluralism of states, which can no longer ignore one another, you offer an extremely simple and fruitful formula of coexistence.

First of all, you recognize and distinguish the ones and the others. You do not confer existence upon states; but you qualify each single nation as fit to sit in the orderly congress of peoples.

That is, you grant recognition, of the highest ethical and juridical value, to each single sovereign national community, guaranteeing it an honored international citizenship.

A GREAT SERVICE

This in itself is a great service to the cause of humanity, namely to define clearly and to honor the national subjects of the world community, and to classify them in a juridical condition, worthy thereby of being recognized and respected by all, and from which there may derive an orderly and stable system of international life.

You give sanction to the great principle that the relations between peoples should be regulated by reason, by justice, by law, by negotiation; not by force, nor by violence, not by war, not by fear or by deceit.

Thus it must be. Allow us to congratulate you for having had the wisdom to open this hall to the younger peoples, to those states which have recently attained independence and national freedom. Their presence is the proof of the universality and magnanimity which inspire the principles of this institution.

Thus it must be. This is our praise and our good wish; and, as you can see, we do not attribute these as from outside; we derive them from inside, from the very genius of your institution.

3. Your charter goes further than this, and our message advances with it. You exist and operate to unite the nations, to bind states together.

Let us use this second formula: to bring the ones together with the others.

You are an association. You are a bridge between peoples. You are a network of relations between states. We would almost say that your chief characteristic is a reflection, as it were, in the temporal field, of what our Catholic Church aspires to be in the spiritual field: unique, and universal.

In the ideological construction of mankind, there is on the natural level nothing superior to this. Your vocation is to make brothers not only of some but of all peoples, a difficult undertaking, indeed; but this it is, your most noble undertaking. Is there anyone who does not see the necessity of coming thus progressively to the establishment of a world authority, able to act efficaciously on the juridical and political levels?

WISH REITERATED

Once more we reiterate our good wish: Advance always. We will go further, and say: strive to bring back among you any who have separated themselves, and study the right method of uniting to your pact of brotherhood, in honor and loyalty, those who do not yet share in it.

Act so that those still outside will desire and merit the confidence of all; and then be generous in granting such confidence. You have the good fortune and the honor of sitting in this assembly of peaceful community; hear us as we say: insure that the reciprocal trust which here unites you, and enables you to do good and great things, may never be undermined or betrayed.

4. The inherent logic of this wish, which might be considered to pertain to the very structure of your organization, leads us to complete it with other formulas. Thus, let no one, inasmuch as he is a member of your union, be superior to the others; never one above the other.

This is the formula of equality. We are well aware that it must be completed by the evaluation of other factors besides simple membership in this institution; but equality, too, belongs to its constitution.

You are not equal, but here you make yourselves equal.

For several among you, this may be an act of high virtue; allow us to say this to you, as the representative of a religion which accomplishes salvation through the humility of its Divine Founder. Men cannot be brothers if they are not humble.

It is pride, no matter how legitimate it may seem to be, which provokes tension and struggles for prestige, for predominance, colonialism, egoism; that is, pride disrupts brotherhood.

5. And now our message reaches its highest point, which is, at first, a negative point.

You are expecting us to utter this sentence, and we are well aware of its gravity and solemnity:

Not the ones against the others, never again, never more.

It was principally for this purpose that the organization of the United Nations arose: against war, in favor of peace.

Listen to the lucid words of the great departed John Kennedy, who proclaimed, 4 years ago: "Mankind must put an end to war, or war will put an end to mankind."

Many words are not needed to proclaim this loftiest aim of your institution. It suffices to remember that the blood of millions of men, that numberless and unheard of sufferings, useless slaughter, and frightful ruin, are the sanction of the pact which unites you, with an oath which must change the future history of the world:

WAR NEVER AGAIN

No more war, war never again. Peace, it is peace which must guide the destinies of peoples and of all mankind.

Gratitude to you, glory to you, who for 20 years have labored for peace. Gratitude and glory to you for the conflicts which you have prevented or have brought to an end. The results of your efforts in recent days in favor of peace, even if not yet proved decisive, are such as to deserve that we presuming to interpret the sentiments of the world, express to you both praise and thanks.

Gentlemen, you have performed and you continue to perform a great work: the education of mankind in the ways of peace. The U.N. is the great school where that education is imparted. And we are today in the assembly hall of that school.

Everyone taking his place here becomes a pupil and also a teacher in the art of building peace. When you leave this hall, the world looks upon you as the architects and constructors of peace.

Peace, as you know, is not built up only by means of politics, by the balance of forces and of interests. It is constructed with the mind, with ideas, with works of peace.

You labor in this great construction. But you are still at the beginnings.

Will the world ever succeed in changing that selfish and bellicose mentality which, up to now, has been interwoven into so much of its history?

It is hard to foresee; but it is easy to affirm that it is toward that new history—peaceful, truly human, history, as promised by God to men of good will, that we must resolutely march; the roads thereto are already well marked out for you; and the first is that of disarmament.

LET THE ARMS FALL

If you wish to be brothers, let the arms fall from your hands. One cannot love while holding offensive arms.

Those armaments, especially those terrible arms which modern science has given you, long before they produce victims and ruins, nourish bad feelings, create nightmares, distrust and somber resolutions; they demand enormous expenditures; they obstruct projects of union and useful collaboration; they falsify the psychology of peoples.

As long as man remains that weak, changeable and even wicked being that he often shows himself to be, defensive arms will, unfortunately, be necessary.

You, however, in your courage and valiance, are studying the ways of guaranteeing the security of international life, without having recourse to arms.

This is a most noble aim, this the peoples expect of you, this must be obtained.

Let unanimous trust in this institution grow, let its authority increase; and this aim, we believe, will be secured.

Gratitude will be expressed to you by all peoples, relieved as they will then be from the crushing expenses of armaments, and freed from the nightmare of an ever-imminent war.

We rejoice in the knowledge that many of you have considered favorably our invitation, addressed to all states in the cause of peace from Bombay, last December, to divert to the benefit of the developing countries at least a part of the savings, which could be realized by reducing armaments.

We here renew that invitation, trusting in your sentiments of humanity and generosity.

6. In so doing, we become aware that we are echoing another principle which is structural to the United Nations, which is its positive and affirmative high point; namely, that you work here not only to avert conflicts between states, but also to make them capable of working the ones for the others.

You are not satisfied with facilitating mere coexistence between nations; you take a much greater step forward, one deserving of our praise and our support—you organize the brotherly collaboration of peoples.

In this way a system of solidarity is set up, and its lofty civilized aims win the orderly and unanimous support of all the family of peoples for the common good and for the good of each individual.

This aspect of the organization of the United Nations is the most beautiful; it is its most truly human visage; it is the ideal of which mankind dreams on its pilgrimage through time; it is the world's greatest hope; it is, we presume to say, the reflection of the loving and transcendent design of God for the progress of the human family on earth—a reflection in which we see the message of the gospel which is heavenly become earthly.

Indeed, it seems to us that here we hear the echo of the voice of our predecessors, and particularly of that of Pope John XXIII, whose message of "Pacem in Terris" was so honorably and significantly received among you.

RIGHTS PROCLAIMED

You proclaim here the fundamental rights and duties of man, his dignity, his freedom—and above all his religious freedom. We feel that you thus interpret the highest sphere of human wisdom and, we might add, its sacred character. For you deal here above all with human life; and the life of man is sacred; no one may dare offend it. Respect

for life, even with regard to the great problem of birth, must find here in your assembly its highest affirmation and its most reasoned defense.

You must strive to multiply bread so that it suffices for the tables of mankind, and not rather favor an artificial control of birth, which would be irrational, in order to diminish the number of guests at the banquet of life.

It does not suffice, however, to feed the hungry, it is necessary also to assure to each man a life conformed to his dignity. This too you strive to perform. We may consider this the fulfillment before our very eyes, and by your efforts, of that prophetical announcement so applicable to your institution: "They will melt down their swords into plowshares, their spears into pruning forks."

Are you not using the prodigious energies of the earth and the magnificent inventions of science, no longer as instruments of death but as tools of life for humanity's new era?

We know how intense and ever more efficacious are the efforts of the United Nations and its dependent world agencies to assist those governments who need help to hasten their economic and social progress.

We know how ardently you labor to overcome illiteracy and to spread good culture throughout the world; to give men adequate modern medical assistance; to employ in man's service the marvelous resources of science, of technique and of organization—all of this is magnificent, and merits the praise and support of all, including our own.

We, ourselves, wish to give the good example, even though the smallness of our means is inadequate to the practical and quantitative needs. We intend to intensify the development of our charitable institutions to combat world hunger and fulfill world needs. It is thus, and in no other way, that peace can be built up.

7. One more word, gentlemen, our final word: this edifice which you are constructing does not rest upon merely material and earthly foundations, for thus it would be a house built upon sand; and above all, it is based on our own consciences.

The hour has struck for our "conversion," for personal transformation, for interior renewal. We must get used to thinking of man in a new way; and in a new way also of men's life in common; with a new manner, too, of conceiving the paths of history and the destiny of the world, according to the words of St. Paul: "You must be clothed in the new self, which is created in God's image, justified and sanctified through the truth" (Ephesians iv: 23).

The hour has struck for a halt, a moment of recollection, of reflection, almost of prayer; a moment to think anew of our common origin, our history, our common destiny.

Today as never before, in our era so marked by human progress, there is need for an appeal to the moral conscience of man. For the danger comes not from progress nor from science; indeed, if properly utilized, these could rather resolve many of the grave problems which assail mankind.

No, the real danger comes from man himself, wielding evermore powerful arms, which can be employed equally well for destruction or for the loftiest conquests.

In a word, then, the edifice of modern civilization must be built upon spiritual principles which alone can not only support it but even illuminate and animate it.

We believe, as you know, that these indispensable principles of superior wisdom must be founded upon faith in God, that unknown God of whom St. Paul spoke to the Athenians in the Areopagus; unknown to them, although without realizing it, they sought Him and He was close to them, as happens also to many men of our times.

To us, in any case, and to all those who accept the ineffable revelation which Christ has given us of Him, He is the living God, the Father of all men.

REPEAL OF SO-CALLED RIGHT-TO-WORK LAWS

Mr. BASS. Mr. President, there was a considerable discussion on the floor of the Senate concerning editorials in Tennessee newspapers on the subject of repealing section 14(b). Along this same line a weekly newspaper in the oldest town in Tennessee, the Herald and Tribune of Jonesboro, printed an editorial recently which expressed in part some of the salient points I sought to make earlier on this floor.

This editorial rightly points out that the repeal of this provision would merely mark a return to the democratic principles of self-government and would relegate the advertising misnomer "right-to-work laws" to its rightful place in oblivion. I ask unanimous consent, not to read, but to insert this article in the RECORD and commend it to the Senate's attention.

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

EDITORIALS FOR RIGHT-TO-WORK LAW REPEAL

(EDITOR'S NOTE.—Last week the Herald and Tribune published an editorial on the "Right-to-Work Law," which was this editor's view on this subject. However, my partner, Mr. Allen, does not agree with these views and we feel it only fair to give him the opportunity to express his opinion.)

The so-called "right-to-work" law now in force in Tennessee and possibly up for repeal in Congress is a great misnomer fostered upon the people by smooth-mouthed Madison Avenue ad men for wealthy management.

I am still old fashioned enough to believe that this country's basic freedom is the belief that the majority rules and the minority lives by these rules.

Without this fair concept, how can we govern ourselves?

If the minority has the right to work in a plant as a nonunion employee when the majority wants union representation, then why not let the minority of our Washington County farmers who did not want controlled allotments for tobacco, plant all the tobacco they want to in defiance of the wishes of the majority and still reap the benefits of the controlled higher prices on tobacco?

If the right to work is good for minorities in unions, why not let the minority of the people who do not like our civil laws, passed by the majority, go along running stop signs, killing, raping, and whatsoever they please just because they do not agree with the majority?

Since when do we think we, as civilized people, can set up two sets of standards as rules—one set for the majority and one set for the minority? Ridiculous, absurd, utter chaos.

If the majority of the workers in a plant, by supervised controlled voting, decide they want to join together in a union for collective bargaining to better their welfare and station in life, then I see no reason why the minority should not be forced to go along.

Let's repeal the Madison Avenue slogan "right-to-work laws" and allow our working people to enjoy the same rules of self-government and democracy which made our country the greatest in the world because of self-government by the majority.

PRESIDENT JOHNSON REINCARNATES ONE OF OUR OLDEST AND FINEST TRADITIONS

Mr. GRUENING. Mr. President, in his ceremony last Sunday at the Statue of Liberty, President Johnson, in signing into law the bill broadening and liberalizing our immigration and naturalization laws, reaffirmed the freedom-loving stance of the United States.

At the same time he issued a clear challenge to Castro in Cuba. Castro had made some vague utterances about permitting the many who were dissatisfied with his regime to leave.

President Johnson accepted the challenge and stated that the United States would accept those who wanted to flee the repressions of Cuba under Castro.

I commend President Johnson for the excellent manner in which he accepted Castro's challenge and join with President Johnson in reaffirming the fact that "the lesson of our times is sharp and clear in this movement of people from one land to another. Once again, it stamps the mark of failure on a regime when many of its citizens voluntarily choose to leave the land of their birth for a more hopeful home."

It was appropriate and significant that President Johnson made this announcement when he was signing the immigration bill. In thus opening the door to the victims of political persecution, he was reincarnating one of the finest and oldest of American traditions. It has been these refugees from tyranny abroad who have appreciated the meaning of America's freedom. Such as they have helped to make our country.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

REPEAL OF SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of the bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 703(b) of the Labor-Management Reporting Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

The PRESIDING OFFICER. The Senator from South Carolina [Mr. THURMOND] is recognized.

Mr. THURMOND. Mr. President, I ask unanimous consent that I be allowed to speak from the desk of the able and distinguished senior Senator from Iowa [Mr. HICKENLOOPER].

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

Mr. THURMOND. Mr. President, I ask unanimous consent that I may yield to the able and distinguished senior Senator from New Hampshire [Mr. COTTON], with the understanding that I shall not lose my right to the floor, and

that his remarks will appear elsewhere in the RECORD, and that upon my resumption, it will not be considered a second speech by me on this subject.

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

THE LATE JONATHAN DANIELS, OF KEENE, N.H.

During the delivery of Mr. THURMOND'S speech,

Mr. COTTON. Mr. President, due to the fact that it was necessary for me to be absent from the Senate last week, I was unable to speak upon a matter which to me is of pressing importance. Therefore, I ask unanimous consent that I be allowed to speak to a subject not germane to the motion pending before the Senate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. COTTON. Mr. President, on the 20th day of August, Jonathan Daniels, a young man from the city of Keene, in the State of New Hampshire, was brutally murdered in Lowndes County, Ala. Comment has been made by many persons upon this incident. Comment has been made in the Senate upon this incident. Mr. President, I have purposely refrained from commenting upon it until the present time, for two reasons.

First—and this is not in criticism of any other Senator who may have commented upon it—I wanted to wait and give the courts in Lowndes County, Ala., an opportunity to act, and to find out if justice would be dispensed, before anticipating their action by making any observations on the case. My second reason for not commenting upon it was of even more importance, at least to me.

In the death of Jonathan Daniels, not only did I lose a close personal friend, one who had been associated with me in my office in the Senate; but because of my long and close association with his family, I felt as if I had lost one from my own family circle.

I did not choose, and I do not choose today, to make the remarks that I feel I must make on the floor of the Senate for political purposes or for public purposes. I feel impelled to make them because the memory of Jonathan Daniels has been blackened and assailed by perjured testimony.

As one who knew Jonathan as a boy, who knew him well and, I think I may say, intimately, I want to raise my voice to purge his memory of unjust accusations. Because of my association with him and because what I shall say is testimony from personal knowledge, it is appropriate that I should indicate to the Senate how it happened that I knew him so well.

Jonathan Daniels' grandfather, a country doctor, was the doctor in the little town of Warren, high up in the hills of New Hampshire, where I was born and spent my boyhood. Dr. George A. Weaver, one of the finest men who ever lived, was our family physician. He was the only citizen of our little village who had a college education. It was because of my admiration for Dr. Weaver that I was inspired to go to the school of which he was a graduate, and work my way through Philips Exeter Academy, at Exeter, N.H., the school about which he used to talk with me when I was a small boy.

Dr. Weaver's daughter, the mother of Jonathan Daniels, was a schoolmate of mine in the village schools at Warren, N.H. She was perhaps 3, 4, or 5 years younger than I and was in one of the lower grades when I was in the upper grades; but I knew her from the time she was a little girl in that small town. She married Dr. Philip Daniels, of the city of Keene, N.H., whom I also came to know well. Dr. Daniels was one of the highest type of selfless practicing physicians that I have ever known. He passed away a few years ago. He died as a result of wounds and injuries received in the service of his country in World War II. Such was the background of young Jonathan Daniels.

Jonathan was a shy, sensitive, refined, retiring, and extremely talented young man. He won honors in every school, college, and institution that he attended. When he was nearing his graduation from Virginia Military Institute, I had correspondence with him, having talked with him earlier, and under date of April 15, 1961, I received a letter from Jonathan. Rather than merely to insert the letter in the RECORD, I shall read it, because it gives a clear picture of the kind of boy and the kind of man Jonathan was.

The letter is dated April 15, 1961, and reads:

VIRGINIA MILITARY INSTITUTE,
Lexington, Va., April 15, 1961.

Hon. NORRIS COTTON,
U.S. Senate, Committee on Interstate and Foreign Commerce, District of Columbia.

DEAR SENATOR COTTON: Much to my chagrin, several months have elapsed since your thoughtful letter of the 9th of February. So many thanks for your energetic and astonishing efforts in my behalf. To my own profound gratitude I add that of all the family—and what I know would have been the warm thanks of my father and my grandfather.

Eventually my financial affairs for this last term of college were resolved far more simply and adequately than I could have imagined possible. The loan of the first semester, which I mentioned in my last letter, was duplicated this term, with an additional loan of $100. This completed my payments for the year. Thus it was not necessary to follow the advice of Mr. James W. Moore, whose letter you enclosed with your letter of the 9th of February. I am nevertheless grateful for his efforts, as I am for yours.

I am delighted to be able to share with you more good news. Recently I learned of my appointment as a 1961 Danforth fellow. My fellowship, renewable for 3 years of graduate study leading to the doctorate, will cover tuition and living expenses at the university of my first choice—Harvard—where I was accepted for graduate work in English early in March. Among other things, it will be delightful to be in Cambridge for what has begun to seem the long-lost New England autumn. My program, at least for the time being, will include the English literature of the 17th and 19th centuries, comparative and contemporary literature, and classical and modern languages. If medicine does not ultimately claim my commitment—as well it may—I shall take a doctorate and go into college teaching, for which my fellowship is designed.

Recently I talked with Wayne Miskelly, among my oldest friends in Keene, who told me of his experience last summer in Washington as a postal clerk in the Senate Building. Although it is late in the spring term, I am taking the liberty of requesting from you information on the possibility of securing a position with you for the summer. Although I recognize clearly the imposition which I submit for your consideration, I suspect that with my interests and qualifications I might be of some use to you.

There is, after all, a fairly noble tradition in English history of quasi-political involvement by men of letters. Removing my tongue from my cheek, I should rejoice in an opportunity to observe organic government at work, even from a very humble point of view. I do have an ulterior motive—the need to be self-supporting while I do some course work, either day or night, in preparation for passing the language requirements of Harvard University—probably Greek, Latin, and German. If it is not possible for you, yourself, to employ me or secure my employment (I do not, of course, ask the impossible) perhaps you could suggest the agency with whom I should get in touch. In either case, I should be most thankful.

In order that you may have some means of gaging my aptitudes, I submit my qualifications, scholastic honors, and principal extracurricular activities. The 11th of June I shall receive my bachelor's degree in English, I hope with honors. During my last 3 years of college I have achieved scholastic honors, consisting of an "A" average, academic stars, and regular appearance on the dean's honor list. I was fortunate this year, as you may remember, to have been selected for citation in the 1960–61 edition of "Who's Who Among Students in American Colleges and Universities." I am president of the Raymond E. Dixon English Society, editorial editor of the VMI Cadet, and a member of the Timmins Music Society, of which I was executive director last year. Until this year, when other activities forced me to resign with regret, I was an active member of the VMI Glee Club, in which I served a number of times as tenor soloist. Last summer I gained what I consider to have been invaluable experience in summer stock with the Yankee Players at the Keene Summer Theater. My sophomore year I was elected to the cadet vestry of the Robert E. Lee Memorial Church, Protestant Episcopal. To this list, for reference, may be added my appointment as a Danforth fellow and my acceptance for admission to Harvard.

I hope that I am not too late in offering my services for the summer. Should it be ultimately impossible for you to assist me, I shall nevertheless be grateful for your consideration. From my point of view—I do not presume to speak for the folks at home—there will be few difficulties with respect to living in Washington. I have made tentative arrangements to take an apartment with a boy from VMI, and I shall have a car (Grandfather Daniel's 1946 Buick).

Again and again, my heartiest thanks for your astonishing interest in my progress. With my thanks you have always my best wishes. I read with amusement, by the way, your comment on the principle of congressional intertia in Albrights' "Gallery Glimpses" in the Washington Post. I am sending the clipping home for family edification.

Faithfully yours,
JONATHAN MYRICK DANIELS.

Mr. President, I took the time to read that letter in full because, from that letter written to me back in 1961 emerges the clear picture that the boy who wrote it—he was only 26 when he was murdered last August—was talented, scholastic, ambitious, emotional, and idealistic,

but also he was a clean, honorable, and extremely promising young man.

Shortly after receiving the letter, I noted in a New Hampshire paper that Jonathan Daniels had been chosen valedictorian of the 1962 graduating class at Virginia Military Institute. I recall that at that time I congratulated his mother on this additional accomplishment.

Mr. President, I was able to give Jonathan Daniels summer employment. He spent the summer of 1962 working in the Senate Office Building and in the Capitol Building and had a desk in my office. I came to know him in that capacity. He was all that I have stated—a brilliant and talented young man.

It is sad indeed that this boy was murdered. It was a sad day indeed for Lowndes County, Ala., and for the United States of America in the eyes of the world when the judge and the jury in an American county conducted a trial which was a mockery.

But that was not the most tragic feature. The most tragic feature was that to attempt to justify, to excuse, to completely exonerate a brutal, coldblooded murder, testimony was introduced reflecting on the character of Jonathan Daniels. The man who sat on the bench—Mr. President, I say this with cold deliberation, and no one in the Senate can accuse the senior Senator from New Hampshire of being a zealot or a fanatic on the question of civil rights—I say that the man who sat on that bench was unfit to sit as a member of the judiciary, and was a disgrace to American justice. When the prosecution requested a postponement of the trial, so that the priest, Father Morrisroe, who was severely wounded by buckshot in his side and back at the same time that Jonathan Daniels was mortally wounded, could have time to recover sufficiently and testify as an eyewitness to the incident, that judge refused the request. He stated that there already were eyewitnesses ready to testify, and forced the prosecution to trial.

The evidence was brought in—and I learned from a careful and apparently accurate account, which I shall later ask to have printed at the end of my remarks, from the National Observer, that it was a first cousin of the murderer who was brought in to testify—I do not recall whether his testimony included Father Morrisroe, that Jonathan Daniels was approaching the murderer, Coleman, with a knife in his hand.

I do not need to read the evidence. I do not need to have been in Alabama, or present at the trial. I do not need to have listened to the witnesses, to know that that was a deliberate lie, and that those were the words of a perjurer, because—and this is the reason that I am speaking today, and have dwelt at some length on my association with Jonathan Daniels—anyone who ever knew him would know that he was utterly incapable of carrying a deadly weapon, a gun or a knife, much less of threatening, approaching or attacking anybody with a weapon. From what I knew of Jonathan Daniels from my conversations with him—he was an emotional, idealistic, young man, and probably something of a pacifist—I know that the man who stood up in that Alabama court and swore before Almighty God that this boy made an attack on that older man, who incidentally was no redneck, but a special deputy, an officer of the law, and a regular employee of the highway department of the State of Alabama, was committing perjury.

Then there was some other rotten testimony. Witnesses testified, again in an attempt to justify and excuse this miscarriage of justice, that young Jonathan Daniels, just before he was shot, embraced and kissed a colored girl on the lips in front of a store, in a public place.

Mr. President, I knew Jonathan Daniels as a shy, sensitive, and retiring young man, a man of refinement, a perfect gentleman. I do not hesitate to say on the floor of the Senate today that he was utterly incapable of publicly kissing, caressing, and embracing any girl, black or white. It would be the last thing that he would do in a public place.

So I am completely convinced and sure that that, too, was prejudicial and perjured testimony designed to arouse the prejudice of the jury and to free and exonerate a coldblooded murderer.

I say frankly, Mr. President, the thing that grieves and, yes, enrages me today is not so much the murder of this young man—though that was bad enough, and should not have taken place anywhere in this land—and not so much the freeing of his murderer, shocking as it is, without any sentence whatsoever but complete exoneration. What infuriates me most is the rotten attacks, the slurs, the murk, the mud, the filth from the lips of lying witnesses against one of the cleanest, finest young men I have ever known.

Mr. President, I wish to say that I do not approve of Jonathan Daniels being in Lowndes County, Ala. I have had some bitter things to say about the man who murdered him, about the witnesses who perjured themselves, about the court, the so-called court of justice that abused its powers and its process. But I should be less than fair if I did not add that there are others who share a certain responsibility for the tragic death of this talented young man.

I do not know the attitude of the Episcopal Theological Seminary in Cambridge, Mass., or whether he was encouraged and incited to travel south on the crusade upon which he embarked. I do understand that he was excused from his classes there and allowed to take his examinations while he was in Alabama.

I know, Mr. President, that in many institutions of learning in this country, professors who are mature, middle-aged men of judgment, who stand in a certain sense in loco parentis in dealing with students, who, even though those students may be over 21 years of age, stand in a sense in the place of their parents, encourage and incite students in those institutions to go to the States in the South to demonstrate and to participate in demonstrations in the cause of civil rights and of the Negro.

Mr. President, since history began, young men and young women have had bright and shining ideals, and thank God it is so. They are emotional. They are rather easily incited to do things that appeal to them as fearless and heroic. Thinking on this point, I glanced into history for a moment and refreshed my memory about the famous Children's Crusade. I wish to read a paragraph taken from the Lincoln Library of Essential Information, a type of encyclopedia:

CHILDREN'S CRUSADE

This tragic incident of the period of the Crusades has been the theme of sober history and of legend. The facts are established that thousands of children and youths—their numbers being estimated at from 50,000 to 90,000—inspired apparently by the crusading spirit of the times, left their homes in the year 1212 and marched in many bands toward the Mediterranean ports of embarkation for the Holy Land. The leaders in France and Germany were two peasant boys. Some of the bands were accompanied by a few older persons, who in most cases appear to have preyed upon the children rather than to have protected them. The fate of the young crusaders is obscure. Some returned sadly to their homes, but many lost their lives. Some are said to have been lost at sea; others, sold into slavery to Mohammedans.

Mr. President, I think of that Children's Crusade whenever I think of Jonathan Daniels. Sharing in a lesser degree—and I say this, though I know I shall be criticized for saying it—but sharing in a lesser degree the responsibility for the tragic and untimely death of this young man are those who are older, and should therefore be wiser and more restrained, who insist on inciting young people to leave their homes, their schools, and their colleges, and expose themselves to the bitterness and strife which is taking place in various parts of the Nation.

I wish that Jonathan Daniels had not been there. Four times, in 1957, 1960, 1964, and 1965, Congress has moved and enacted strong laws to guarantee to every American his political rights, his safety, and even to some extent his social and economic privileges.

The President of the United States—our President—has made it plain and has again and again demonstrated that he has every intention of enforcing and is dedicated to the enforcement of those laws.

The Federal courts are vested with authority to act in the enforcement of rights. Federal marshals and other Federal officers who go into places where rights are being denied, or where violence is taking place, are protected—protected by Federal statute and by the system of Federal courts, and Federal punishments, and are not subject to the injustice nor bared to the kind of assault and death that faced 26-year-old Jonathan Daniels.

I happen to believe that we do not bring good by resorting to wrong methods. I happen to believe that we do not contribute to equal rights by indulging in violence, by the breaking of laws, or by demonstrations. But that all is beside the issue today, Mr. President.

Jonathan Daniels may have been emotional. He may have been fanatical, but he had a right to live. He had a right to live anywhere in this Nation, in any

State, in any county, in any town or city in this Union. If he broke the law, he should, and was, I understand, subjected to proper rebuke and punishment; but he had a right not to be murdered. Having been murdered, it is a tragedy because it leaves a blot upon the history of our times and the glory of our country.

I wonder what the next step will be? Jonathan Daniels' murderer cannot be again tried, I assume, even though the prosecution has indicated it might attempt to indict him for murder instead of manslaughter. Jonathan Daniels' murderer can be prosecuted for the almost fatal wounding of Father Morrisroe, the young Catholic priest who was associated with Jonathan Daniels and who represented the same kind of youthful and idealistic manhood.

But, I do know that not only did Jonathan Daniels have the right to live, and not to be brutally murdered, but I also know that he had a right not to have his memory blackened and besmirched by false testimony, perjured testimony, adduced in the trial.

Mr. President, my sympathy goes out to his mother. I think of his family with whom I have been associated ever since I can remember as a small boy. I think of his character. I think of him as I knew him in my own office here in the Capitol.

What I have said today has not been said in a spirit of vindictiveness or to attack the courts of the State of Alabama, only as they have justified that attack; but my words have been mostly directed to the defense of the memory of a talented and brilliant young man; namely, Jonathan Daniels.

Mr. President, I ask unanimous consent to have printed in the RECORD, an article published in the National Observer on Monday, October 4, 1965, entitled "How Scales of Justice Balance in Hayneville."

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

HOW SCALES OF JUSTICE BALANCE IN HAYNEVILLE—THE CHARGE, MANSLAUGHTER; THE VERDICT, NOT GUILTY

(By Tom Johnson)

HAYNEVILLE, ALA.—"This is one of the strangest cases I've ever seen," Defense Attorney Vaughan Hill Robison told the jury. "The facts are not in contradiction." And most were not.

Thomas L. Coleman, 55—the man who sat at a small table in the Lowndes County courtroom here last week and listened as his lawyer spoke—was on trial for first-degree manslaughter.

Nine weeks ago, Mr. Coleman stood in the door of a country store as four civil rights demonstrators—two white clergymen and two Negro girls—approached down a narrow paved road. There were words—these are in dispute. Mr. Coleman fired once and the Reverend Jonathan Daniels, 26, an Episcopal seminarian from Keene, N.H., was mortally wounded. Mr. Coleman fired again and the Reverend Richard Morrisroe, 26, a Chicago priest, spun to the ground with a buckshot charge in his right side.

Now Mr. Coleman was on trial, and as drama the trial and acquittal were almost anticlimactic. In a sense, the trial itself had been "tried"—and condemned—by the chief legal officer of Alabama, Attorney General Richmond M. Flowers.

A CRITIC OF GOVERNOR WALLACE

Mr. Flowers took over prosecution of the case after the Lowndes County grand jury indicted Mr. Coleman on charges of first-degree manslaughter instead of first-degree murder. Since he took office—the same day Gov. George C. Wallace was sworn in—Mr. Flowers has been a persistent critic of Governor Wallace. In taking over the prosecution, Mr. Flowers said he would press for a new indictment on charges of murder.

To the court, Mr. Flowers argued for a continuance, saying the State could not proceed without the testimony of Father Morrisroe, who lay in a Chicago hospital "barely able to speak." Circuit Judge T. Werth Thagard, who holds court in Lowndes County twice a year, noted there were other eyewitnesses, and dismissed the argument.

Mr. Flowers' assistant, Joe Breck Gantt, thundered other objections—that a lack of cooperation by State officials had made it difficult to prepare a case; that the investigation of the shooting by Col. Al Lingo, head of the State troopers, was "heavily slanted" against the prosecution; that there was evidence that the State's witnesses intended to commit perjury. Mr. Gantt also said that his and Mr. Flowers' lives had been threatened.

Defense Attorney Robison challenged Mr. Gantt to name the witnesses who intended to lie. Mr. Gantt was silent. With sarcasm, Mr. Robison said his own life had been threatened, and he questioned the honesty of Mr. Flowers in asking a continuance on such "frivolous grounds."

THE EMOTIONAL CLIMATE

The next morning Mr. Gantt again requested a postponement. It was denied. Mr. Gantt now argued that the emotional climate in Lowndes County was such that a fair trial was impossible. He said the people of the county were prejudiced against his employer, Mr. Flowers, who publicly rebuked the county grand jury when it returned the manslaughter indictment.

Judge Thagard directed the trial to proceed. Mr. Gantt refused.

"Are you willing to surrender the case to the circuit solicitor?" the judge asked Mr. Gantt.

"No, sir," Mr. Gantt replied.

"You are trifling with this court," said Judge Thagard.

Ordinarily, the case would have been prosecuted by Arthur Gamble, the circuit solicitor, a post analagous to that of district attorney. But Mr. Gamble had been relieved by Mr. Flowers. Judge Thagard asked Mr. Gamble to resume the prosecution and ordered the attorney general's office out of the case. Mr. Gantt slammed his records on a table and stalked out.

With Mr. Flowers out of the case, the trial proceeded before a jury of 12 white men. The American Civil Liberties Union (ACLU) also tried to stop the trial on grounds that Negroes, who outnumber whites 4 to 1 in the county, are systematically excluded from jury service. The ACLU was turned down by both Judge Thagard and Federal Judge Richard T. Rives.

There was really but one issue at the trial: Was the shooting self-defense?

It was quickly established that on August 20 a group of civil rights workers, who had been arrested the week before for picketing at Lowndesboro, were let out of jail in Hayneville. Mr. Daniels and Father Morrisroe were in the group.

NOT SEARCHED WHEN FREED

When put in jail, Sheriff's Deputy Joe Jackson testified, the demonstrators were searched and nothing found that could not be permitted in the cells. But they were not searched, he said, when they were freed.

"Was there anything unusual that made you notice Daniels when he was let out?" a defense lawyer asked Mr. Jackson.

"Yes, he ran over and kissed that nigger girl."

"On the cheek?"

"No, on the mouth."

Many of the freed demonstrators congregated on a corner a block from the jail and a few yards from a country store known as the Cash Store.

MORE USEFUL TO THE DEFENSE

Tom Coleman, a highway department engineer and sometime special sheriff's deputy, was at the courthouse. Another law officer, Harvey Lancaster, heard him say that Leon Crocker "was down at the store and he was going too."

Mr. Crocker, retired from the U.S. Department of Agriculture, was a witness for the prosecution, but he proved to be more valuable to the defense. He was at the Cash Store, he said, when Mr. Coleman came with a 12-gage shotgun. A few moments later, Mr. Daniels, Father Morrisroe, and the two Negro girls—Miss Ruby Sales and Miss Joyce Bailey—approached.

Mr. Crocker's story: Mr. Daniels walked to the door where Mr. Coleman was standing. Mr. Coleman told him: "The store is closed for business. You can't come in." Mr. Daniels asked: "Are you threatening me?" He took a step forward and Mr. Coleman fired. Father Morrisroe moved toward the door and there was another shot.

Questioned by defense attorneys, Mr. Crocker said Mr. Daniels had a knife in his hand when he approached Mr. Coleman. Father Morrisroe was also armed, he said, with what appeared to be a chrome-plated pistol. Did he see where the weapons fell? No. Did he see anyone remove them? No, Mr. Crocker said, but several Negroes bent over Mr. Daniels and Father Morrisroe and they could have removed them.

SHE DENIED THERE WERE WEAPONS

This was the first direct mention of weapons. Miss Bailey, the next State's witness, denied there were arms. She said that as Mr. Daniels approached the door, an unknown man called out: "The store is closed. Get out. I'll blow your G-damn head off." Then he fired.

She heard someone shout: "Run, you niggers."

"Did either of the two clergymen have a weapon?" Solicitor Gamble asked her.

"No, they didn't have anything," said Miss Bailey.

Defense Attorney Robison took over. "At the time you got out, you kissed Jonathan Daniels, didn't you?"

"No, I didn't."

"Did Jonathan Daniels have anything in his hand?"

"No, he did not."

"Did Morrisroe have anything?"

"No, he didn't."

MISS SALES' VERSION OF SHOOTING

The other witnesses merely reenforced the State's contention that there were no weapons. Miss Ruby, field secretary for the Student Nonviolent Coordinating Committee, was the trial's angriest witness. "I was still on the ground when Morrisroe was running and he," she said, staring directly at Mr. Coleman, "shot him in the back."

Three witnesses for the defense told the jury just as emphatically that they saw weapons. Joe Bell Coker, a first cousin of Mr. Coleman, said Mr. Daniels had a knife and Father Morrisroe a pistol. Edward Mims, a county employee, saw two Negroes lean over the two men and put something in their pockets. Bill Bevis, a young stockyards worker, said he saw the same; Mr. Bevis added that he went over to the dazed Father Morrisroe and the clergyman said to him: "Where's the gun?"

That was the case. Joe Phelps, one of the defense attorneys, pointed to the clerical

shirt worn by Mr. Daniels and told the jury: "Jonathan Daniels used this shirt to shield his sinister motives for being in Lowndes County. These were not men of God as we know them in Alabama or this community. Where can we draw the line? Where must we draw the line? We've got a right to protect ourselves."

If the jury believed there were weapons in the hands of Mr. Daniels and Father Morrisroe, or if it believed that Mr. Coleman thought they had weapons, the verdict was to be not guilty. Otherwise, the jury was to find Mr. Coleman guilty and fix his sentence at from 1 to 10 years. So Judge Thagard charged the jury.

The jury was out an hour and 30 minutes. It found Mr. Coleman not guilty.

In commenting on the outcome, Dr. Martin Luther King said the verdict made it obviously clear that Federal law against civil rights murder was needed. The ACLU asked U.S. Supreme Court Justice Hugo Black to suspend all court proceedings in Lowndes County. Of the verdict, U.S. Attorney General Nicholas Katzenbach said it's "the price you have to pay for the jury system."

Mr. COTTON. Mr. President, I thank the distinguished Senator from South Carolina [Mr. THURMOND] for yielding to me.

REPEAL OF SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of the bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 703(b) of the Labor-Management Reporting Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

Mr. THURMOND. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Illinois [Mr. DOUGLAS], with the understanding that I shall not lose my right to the floor, that his remarks will appear elsewhere in the RECORD, and that my resumption will not be considered a second speech by me upon this subject.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Is there objection to the request of the Senator from South Carolina? The Chair hears none, and it is so ordered.

The Chair recognizes the senior Senator from Illinois.

During the delivery of Mr. THURMOND'S speech,

Mr. DOUGLAS. Mr. President, I thank the able Senator from South Carolina [Mr. THURMOND] for his courtesy in yielding to me, and wish to express my appreciation for his generosity.

SECTION 14(b) SHOULD BE REPEALED, AS A MAJORITY OF THE HOUSE OF REPRESENTATIVES HAS VOTED AND AS A MAJORITY OF THE SENATE BELIEVES

Undoubtedly those in the galleries are wondering why the Senator from South Carolina and I should address the Senate when virtually no one is on the floor, and when apparently we shall have no direct influence upon the nonexistent audience of Senators not present.

I should like first to assure them, however, that virtually all Senators read the CONGRESSIONAL RECORD the following morning with close attention, and that therefore the arguments which are made on the floor, though frequently almost no one listens to them, do have an effect upon the final vote. We never know how great an effect our arguments will have, but we think they have some effect.

What is more important is that the CONGRESSIONAL RECORD is widely read and widely noticed all over the country. In addition to the reporters who sit in the seats of the Sanhedrin over the Presiding Officer and who report the activities on the floor, which are thus relayed in some measure to the public at home, a large number of columnists and editors also read the RECORD, so that statements made on the floor are sometimes relayed to the country by other persons. It is also true that, scattered all over the country, there are some additional 40,000 readers of the CONGRESSIONAL RECORD who are, in a sense, makers of public opinion. Local editors, lawyers, citizens interested in public affairs, members of chambers of commerce, members of labor unions, educators, clergymen, and the like, read the RECORD, and it helps to form their opinions and their influence.

Since our country is a democracy, changes in public opinion ultimately affect the legislation which we pass here. Public opinion moves in an imperceptible and gradual fashion, but it moves, and so the discussions on the floor have an ultimate effect, even if at the moment they may not seem to do so.

Finally, there is a duty which we owe to history. The historians of the future, in studying legislation, go back to the RECORD and to the committee hearings, and upon the testimony in the committees and the debates and the votes on the floor they base their own record. Thus, future generations have a more vivid appreciation of history and a more accurate appreciation of the motives which influence it than they would otherwise have.

Mr. PASTORE. Mr. President, will the Senator from Illinois yield?

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Illinois yield to the Senator from Rhode Island?

Mr. DOUGLAS. I am happy to yield to the Senator from Rhode Island.

Mr. PASTORE. I appreciate very much the explanation made by the Senator from Illinois. I believe it would be an excellent idea, not only for the people in the galleries at the present moment, but also for the country at large to understand what the background of this situation is. I would be grateful to the Senator, therefore, if he would kindly explain—so that it may also appear in the RECORD—the fact that the current debate is merely on the motion to take up House bill 77, which would repeal section 14(b) of the Taft-Hartley Act, and that this is the usual procedure adopted in the Senate by those who would prevent a vote on the bill itself. In all probability a majority of the Senate would vote to repeal section 14(b) of the Taft-Hartley Act, but dilatory tactics are being employed under the rules of the Senate to delay that vote.

A MAJORITY OF THE SENATE FAVORS REPEAL OF 14(b) BUT THE MINORITY IS ENGAGED IN PROLONGED DISCUSSION TO PREVENT A VOTE

Mr. DOUGLAS. I thank the Senator from Rhode Island. I do not wish to make an ex parte statement, but it is true that a majority of the Members of the Senate have openly declared themselves in favor of repeal of section 14(b). It is also true that some of the honest and convinced opponents of repeal feel that their best hope of defeating the measure is to prevent it from coming to a vote and that, therefore, they are taking advantage—as they have every legal right to do under the rules of the Senate—of delaying tactics, particularly at the end of this session, in order to prevent the vote from being taken.

They are trying to prolong matters on two separate and distinct questions or motions. The first is the motion to take up, or, more precisely, to take a bill from the calendar and proceed to the consideration of it. This motion, ordinarily, is granted by unanimous consent, given immediately upon the calling up of a measure by the majority leader; but, in this instance, debate is being indulged in merely on the motion to take up, so we have not yet passed the first hurdle.

The second question is on passage of the bill. Both questions are subject to separate filibusters and can be made to require separate cloture motions. So if, as, and when we pass the first hurdle, the discussion will be upon the bill itself.

Mr. President, I debated with myself for a day as to whether I should speak on this matter, since the issue before us is merely on the motion to take up. But I decided that it was important to dispel what I regard as some of the fog of misrepresentation and misunderstanding so that we might know precisely what the issue before us actually is.

Mr. President, in order to adumbrate some of my conclusions, I think that what we will see in the next few days will reenforce my long-held belief that we need to change rule XXII of Senate procedure. At present, it requires a two-thirds vote of Senators present and voting to limit debate to 1 hour thereafter per Senator. Many of us have felt for many, many years that this is an excessive requirement, and that after a long period of debate a majority of the members of the Senate should be able to limit debate thereafter to 1 hour per Senator. In other words, we believe that the majority should have the right to decide—because they are the representatives of the people—and not have their right to decide blocked by tactics intended to prevent a vote.

In the past, the so-called filibuster has been used primarily on civil rights questions, but it can be used by other minorities as well. Under the rules of the Senate, it is perfectly legal. I attach no blame to those who hold a different point of view and who are seeking to prevent a vote from occurring. But the history of the use of rule XXII indicates a weakness in the fundamental structure of the Senate. We should not forever delay acting upon the resolution which since March 9 has been the first listing on the Senate calendar and which, by the way, happens to bear my name as principal

sponsor—that is, order No. 69, Senate Resolution 8, a resolution to amend rule XXII of the standing rules of the Senate relative to cloture.

Mr. President, if we do not wish to endorse the power of the majority to bring a measure to a vote after full and adequate discussion and debate, we could accept the proposal of the Senator from New Mexico [Mr. ANDERSON], which appears second on the calendar, that at least 60 percent instead of the present 67 percent should be able to bring a measure to a vote.

I thank the Senator from Rhode Island for bringing up this point.

"RIGHT TO WORK" IS A FALSE PROPAGANDA LABEL

I should like now to proceed to a discussion of section 14(b) itself and the question of its repeal.

As we all know, the bill before us would repeal section 14(b) of the Taft-Hartley Act which permits States to pass laws outlawing the union shop and, in effect, contract out of the national labor policy on labor representation and collective bargaining. At one time, no less than 24 States, or nearly half the total, had passed laws making the union shop illegal. By a stroke of public relations cleverness—almost of genius—they attached one of the most inaccurate misnomers of which I know to these laws; namely, that they were "right-to-work" acts. This is a most false label, for these laws do not give anyone the right to a job or to productive work.

In today's world, people shun using direct and clear language to describe reality. No longer do people die, they "pass away." An undertaker is a "mortician." A real estate salesman is a "realtor." Depressed areas become "redevelopment areas." Slum clearance is now called "urban renewal." Only last week, a proposed controversial bridge over the Potomac was referred to as an "automobile carrying facility." And so an antiunion law is dubbed the "right to work."

In the face of this type of propaganda, unions have had to fight hard campaigns to prevent such laws from being passed in my own State of Illinois, and in such other States as Ohio and Oklahoma.

The last State I just mentioned is the one represented in part by the distinguished Presiding Officer, the Senator from Oklahoma [Mr. HARRIS], who now graces this Chamber.

Fortunately, the State of Indiana has recently repealed its antiunion shop law as have several others. So the number is now down to 19, consisting, first of all, of 10 of the 11 Southern States of the Old Confederacy, with the exception of Louisiana; then Iowa and 4 States of the high plains west of the Missouri River, Nebraska, Kansas, South Dakota, and North Dakota; and then 4 Western and Mountain States, Arizona, Utah, Wyoming, and Nevada. I believe it should be noted that many of the so-called right-to-work acts really are antiunion shop acts, and were basically passed because of malapportioned State legislatures. This is the basic political cause why a number of States have passed and retained other antiunion laws.

REPEAL OF 14(b) DOES NOT AUTHORIZE CLOSED SHOP

And now let us try to clear the air a little and see just what is involved. Some strong proponents of repeal may say it is not necessary to argue the case and will declare that it is enough that, "We know these laws are bad. We are against them and the best way to do it is to repeal 14(b) instead of moving against them State by State. Why argue any further, let us act."

I agree that we should act and that we should do so now. I also know that it is relatively futile to argue with the hard-boiled opponents of unionism who seek at every turn to weaken and discredit the institution of unionism. It is true that these groups represent the main driving force behind the original enactment and the retention of 14(b) and of the State antiunion shop laws. Happily, I believe the number of those who are opponents has been diminishing, that in time we will come to a general consensus on the worthwhileness of unionism.

But we should also always remember that it is not only necessary for those of us who support repeal to be convinced of the righteousness of our own cause but that it is also necessary for us to convert the great body of humane yet neutral opinion in this country. These good people, while giving general approval to unionism are not fully informed about the issues and may be swept off their feet by high-powered propaganda—well-financed propaganda—which is coming from antiunion sources. To these people who may hold the balance of political and legislative power, we should also appeal, and that is what I am trying to do.

First, let us remember that a union may not enter into a collective bargaining arrangement at all against the will of an employer unless it represents a majority of the employees. If there is any real question about such representation, this can be settled by a fair and secret ballot election which is open to all employees in the unit and which is conducted by the National Labor Relations Board. Under these conditions, if an election is thus won by a union, collective bargaining is approved of as a matter of national labor policy.

Under collective bargaining it is not necessary for the employer to agree to the proposals of the union. It is only necessary that he should sit down with representatives of the union and seek, in good faith, to reach an agreement. But he is not, of course, compelled to accept the proposals of the union.

The constitutionality of such a policy and procedure has been upheld time and time again by the U.S. Supreme Court, and it has been judged to be fully constitutional.

The national law then goes on to outlaw the closed shop—about which my good friend from South Carolina [Mr. THURMOND] was speaking before he was gracious enough to yield the floor to me—under which a worker would have to be a member of a union before he can get a job. Furthermore, no hiring preference can legally be given to union members.

In other words, employers and unions are prohibited by national law from entering into agreements providing for the closed shop even though the employers might care to do so. It so happens that for 15 years, prior to World War II, I was a national chairman for the newspaper industry and arbitrated in that field and in other industries as well. I handed down several scores of decisions. I can testify, therefore, that at that time many employers in the newspaper business believed in the closed shop because it gave them a better supply of skilled and trained workmen.

I believe the support of employers in the newspaper industry for the closed shop is somewhat less today than it was at that time, but at that time many were strongly for it.

But no matter. Even if they want it, they now cannot agree to it. Nor is any State allowed to override the national act and by State action to make the closed shop legal.

Now I personally do not object to this prohibition because, as a matter of general principle, I do not believe in the closed shop, save in exceptional circumstances. For, as the Senator from South Carolina was saying, by high initiation fees, by excessive apprenticeship requirements, and by undue favoritism to friends and relations, unions could close—and some have closed—their own memberships. If the closed union then negotiated a closed shop agreement, this would be highly monopolistic and would shut the gates of employment opportunity upon outsiders and deny to them the right to an equal chance at a job. So I want to make it clear, at the very outset of this debate, that I do not want to reverse this feature of our national labor policy or give to the States the right to override this national policy.

So much for the closed shop. It is not an issue in this debate or before the country, because it is already illegal.

THE ISSUE IS: "SHALL THERE BE A RIGHT TO DECIDE?"

But where does this lead us on the union shop? First, let us all be crystal clear on the fact that under the union shop a man does not have to be a member of a union to get a job.

I submit this is very different from the closed shop. The employer is free to hire anyone he wishes, except that under the civil rights and FEPC statutes he is not supposed to discriminate on the grounds of race and color. No labor monopoly can therefore be built up or maintained. The employer controls the hiring. The only provision is that, if the employer agrees to a union shop clause in the contract, and only if he does, then workers thus hired must join a union within a stated period of time which is almost universally 60 to 30 days. But further protection is thrown around them by the law which states that union initiation fees and dues must not be "excessive," as determined by the National Labor Relations Board. Nor can they be required as a condition of continued employment to take part in any way in union activities. Finally, of course, if a majority of the employees represented by the union do not want to continue to work under such a union security agreement, they can reject it at

any time in an election supervised by the NLRB. In other words, an agreement for the union shop is not perpetual; it can be revoked at any time if a majority of the workers become dissatisfied with it.

While section 8 of the Taft-Hartley Act prohibits, as a matter of national policy, a State from establishing a closed shop, section 14(b), like Pilate, washes its hands of any responsibility and permits a State to outlaw the union shop. It gives them, in effect, a hunting license to prohibit employers and employees from coming to a voluntary agreement to establish the union shop under free collective bargaining. The widest possible range of other topics can be agreed upon under such agreements without State interference, ranging from all the variety of fringe benefits, to the power of supervisors, to the amount of washroom time, coffee breaks, and even the spacing and duration of toilet time. But not union membership. If a State so decides, however malapportioned its legislature, that it wishes to take itself out of the stream of national labor policy on the union shop, it can do so. It is not too much to repeat once again that under 14(b) it is given a hunting license to weaken or break the unions if it is so decided.

Let me emphasize this point. The repeal of 14(b) would not require the establishment of compulsory unionism or a union shop by law. Let that be thoroughly understood. It would merely mean that, if a union representing a majority of the employees and an employer through a joint agreement should decide to institute a union shop, they would be allowed to do so. It would not mean that, if they do object to a union shop that they will be forced by law to establish one.

In fact, a large proportion of the existing collective bargaining agreements do not provide for the union shop.

Where the union shop is established, the minority may have to accept the judgment of the majority, fairly arrived at, but this is not a violation of the minority's civil rights. The minority will still be free to dissent and to organize opposition groups. If it can become a majority, it can then take itself out from the union shop proviso.

As Secretary Willard Wirtz, who is making an excellent record in the Department, has well stated:

> The issue underlying the question of whether 14(b) should be repealed is not, therefore, whether there is to be a right to work. It is rather whether there is to be a right to decide.

What section 8 and 14(b) do, in effect, when taken together, is to allow the antiunion forces to practice a "heads I win, tails you lose" game against labor. When unionism can be hurt by national law, section 8 does so by prohibiting the closed shop as a national policy. I repeat that I do not favor repeal of the prohibition of the closed shop. Recognizing that a national right-to-work act could not be passed even in 1947 at the time of Taft-Hartley and the postwar reaction, and that the union shop could not be prohibited as a matter of national policy, the framers of the Taft-Hartley Act proposed instead to chip away at this indirectly by giving the States free rein to outlaw them. This forced the friends of labor to fight on what were then 48, now 50, separate fronts and to do so before legislatures where the areas representing wage and salaried employees were, and, indeed, still are, grossly underrepresented.

If the closed shop is a matter for national policy, as I believe it is, so is the union shop. The Federal Government therefore should not waive jurisdiction and permit State legislatures to determine what should be national policy. I submit that this national policy should permit employers and employees to agree on a union shop, under the conditions I have outlined, if they so desire.

ANTIUNION LEGISLATION, SUCH AS PERMITTED BY 14(b), HURTS THE NATION

The first great advantage of the union shop is that it eliminates the so-called free rider; namely, the man who takes all the benefits the union can win for him in the form of wages, hours, fringe benefits, working conditions, job protection, and so forth, but who refuses to contribute to the support of the organization which does all this. Unfortunately, there are altogether too many who like to reap what they have not sown and to claim as a right what others have won for them without giving anything in return.

For let us clearly recognize that a union cannot confine the benefits it wins to its own members. The working conditions, wages and hours, which it helps establish, apply to all in the bargaining unit, nonmembers, as well as members.

Furthermore, the shop stewards must adjust grievances of the workmen, irrespective of whether those workmen are unionists or nonunionists.

So is it not only fair that all should pay for the expenses of collective bargaining from which all benefit? I believe the vast majority of Americans believe in this basic principle and that if the issue were fairly and fully presented to the people of the country, they would on this ground alone repeal the prohibitions imposed by 14(b). Of course, another vital point is the allied fact that hostile employers can use the absence of the union shop to undermine the unions and thus weaken and indeed ultimately eliminate collective bargaining. Controlling the hiring process as they do, they can concentrate on hiring workers known to be allergic to union membership and activities.

Here it should be remembered that there are frequent changes in the composition of even a constant level working force.

Some men die, others retire, still more leave and go elsewhere and new men will be continuously hired to replace those dying, retiring, and leaving the employ of the company for these reasons. The working force can then be increasingly infiltrated by antiunionists. These men will not join the union and the result, in a large percentage of cases, will be that the strength of the union will be steadily on the decrease while that of its opponents will be steadily rising.

When it comes time to renew the contract, the employer, if he is antiunion, will be in a much stronger position to break off relationships and run an antiunion shop without collective bargaining. Time, under an anti-union-shop law, will therefore not be neutral.

As a matter of fact time seldom is neutral. One of the great logical errors in the injunctive process is that it assumes time to be neutral, whereas time is on the side of the strongest battalions.

In this case it will tend to operate powerfully against the unions and the continuance of collective bargaining. Without wishing to impute bad motives to those who do not possess them, it can safely be suggested that this is the main reason why many antiunion employers and their supporters are strong advocates of State right-to-work laws and are fighting to head off the repeal of 14(b). The so-called right-to-work laws of the Southern States—and let us remember that 10 of the 11 States of the entire Confederacy have right-to-work laws—have certainly played a large part in making it extremely hard for labor to organize and bargain effectively there, and have therefore helped to keep wages and working conditions down in that area.

It is not an accident that in the 19 right-to-work States, only 13 percent of the nonagricultural workers were organized in the AFL–CIO unions in 1962 as compared with 28 percent in the other States and that the drop in membership between 1958 and 1962 was nearly twice as great in the right-to-work States as in the others. These laws are definitely an important part of the antiunion apparatus of these States and an important factor in preventing unions from gaining a strong foothold in the textile, furniture, lumbering, and chemical industries of the South while it has held back unionism in the States beyond the Mississippi and Missouri Rivers and in the Mountain States as well.

Of course, I am not maintaining that these right-to-work laws are the sole factors in holding back unionism in the South. The attitude of the local police, of the power structure of the communities and States, of the press, of the legal profession and, even of the churches has been an impeding factor to unionism in the South and to some degree, in the Mountain States as well.

But the right-to-work statutes are a part of the antiunion apparatus. They operate to hold back and help to prevent workers from joining unions of their own choice.

There have been interesting articles in the Washington Post in recent days about the struggle for unionism in the Stevens mills which I believe bear this out and deserve widespread attention.

As one who believes that unions have, on the whole, played and are playing a very constructive role, not only in labor-management relationships, but in the general life of our country, I believe that the State antiunion shop laws are bad public policy and, hence, that section 14(b) should be repealed and that such a repeal is a proper exercise of the provisions of the Federal Constitution.

Unions are not perfect institutions because they are composed of imperfect human beings, but on the whole they are useful and beneficial institutions, and I have been greatly pleased by the increasing tendency they have shown to defend the rights of all consumers and the general public, and not merely the interests of their members.

I think it is also obvious that the so-called right-to-work statutes also play a part in keeping wages lower than they would otherwise be. Testimony was introduced before the Senate Labor Committee and showed that hourly manufacturing wages in these States during the last 10 years have varied from 21 to 29 cents an hour below the national average, and that the five States with the lowest hourly earnings in the entire country are all right-to-work States; namely, North Carolina, South Carolina, Georgia, Mississippi, and Arkansas. I, of course, do not maintain that the right-to-work laws are the sole cause for these lower wages. I simply say they are contributing factors or contributing causes.

SENATE COMMITTEE BILL PROTECTS CONSCIENTIOUS OBJECTORS TO UNIONISM

There are two further objections which need to be considered. The first was very prominent at the time of House consideration of the original bill (H.R. 77); namely, the charge that it violated the moral rights of those who, on religious or ethical grounds, could not conscientiously be members of a union or contribute to its support. There are not many such genuine conscientious objectors, but there are some very sincere ones. These are notably members of religious sects, such as the Plymouth Brethren, Seventh-day Adventists, Mennonites, Amish, certain branches of the Brethren, and some other small sects. To meet the scruples of this group, language has now been inserted in the Senate version before us as follows:

(c) Section 8(a)(3) of such act is further amended by striking the semicolon at the end thereof and adding the following: ", or (C) if he has reasonable grounds for believing (i) that such employee has been issued a certificate by the National Labor Relations Board either that he is a member of a religious sect or division thereof, the established and traditional tenets or teachings of which oppose a requirement that a member of such sect or division join or financially support any labor organization, or that, even though he is not a member of such a religious sect or division thereof, he holds conscientious objections to membership in any labor organization based upon his religious training and beliefs in relation to a Supreme Being involving duties superior to those arising from any human relation, and (ii) either that such employee has timely paid, in lieu of periodic dues and initiation fees, sums equal to such dues and initiation fees to a nonreligious charitable fund exempt from taxation under section 501(c)(3) of the Internal Revenue Code, designated by the labor organization, or that the labor organization has failed upon request to designate such a fund or waives such payment, or (iii) that such employee has complied with alternative arrangements mutually agreed upon by such employee and such labor organization;".

This language was added so that they and others who hold such religious beliefs, even though not formally church members, are not to be compelled to join the union even if it were to win a union shop election in the manner I have indicated.

In order, however, to prevent religious grounds from being used merely to free the worker from financial payments, it is provided that in these cases the exempted worker shall have to pay the equivalent of the periodic dues and initiation fees either to a nonreligious charitable fund exempt from taxation which can either be designated by the union or jointly by the union and management or by his church, or the union can free the worker completely from payments. This seems a very happy solution, and I am very glad that it has been adjudged satisfactory by representatives of the churches involved. It should meet any legitimate criticism on this score.

I have interviewed a number of those good people, and they seem to be satisfied with this provision. It should meet any legitimate criticism on this score.

Mr. HART. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I am glad to yield to my good friend from Michigan.

Mr. HART. It is extremely helpful at this early stage in the debate that the able Senator from Illinois has discussed at some length this particular amendment. Many of us, long years ago, had made the determination that section 14(b) was an undesirable aspect of our law, and we had intended to support fully the effort to remove it. However, as the Senator from Illinois says, we were approached by not very many persons, but persons who voiced a concern which struck a highly responsive chord, I know, in the heart of the Senator from Illinois, and of the junior Senator from Michigan.

Mr. DOUGLAS. As a member of a small religious group which, while it does not oppose union membership, has sometimes had members who have been in dissent, let me say that this has been very close to my heart, too.

Mr. HART. This I know. I think it especially salutary that this discussion is now in the hands of the Senator from Illinois, who perhaps more than any of us can sense the concern which gave rise to visits to many of us by delegations from small groups of completely sincere Americans.

I, for one, was deeply troubled. I had made a solid commitment to support the repeal of section 14(b). I did it in the deep conviction that labor-management relations across the country would be advantaged by it, and the strength of the economy increased.

For a few days, I had reached the rather tentative conclusion that unless we could respond to the small, relatively weak persons whose moral convictions would make abhorrent the direct contributions to union dues, I might well have to back off from what I felt was a commitment of many years standing. Many of us who shared this concern owe a deep debt of gratitude to the committee for having developed the approach which the Senator from Illinois has so eloquently described. I know that he contributed materially to the development of that thought. He has been for it, and I believe the committee has, as well.

Mr. DOUGLAS. I deeply appreciate what the fine Senator from Michigan has said. I, too, believe that the committee did extremely well in adopting this provision.

It should also be recorded that in the negotiations leading to the inclusion of this clause, when we raised the matter with representatives of organized labor, I found no opposition. They were quick to recognize the importance of the point and were very willing to work out cooperative relationships.

One of the big problems in modern life is to reconcile the needs of the community for unified action and the desire to provide as much scope for individual conscience as is possible. Democratic institutions do this in the political process. It is not always possible to do it fully in military matters. But we should try to do so wherever it can be done. I am happy that this relationship has been worked out in this instance.

For the purpose of the RECORD, I should add that in certain industries which now provide for the union shop, unions and management have worked out a similar arrangement. This was true in Indiana prior to the repeal of the Indiana right-to-work statute. Perhaps that action may have furnished us with the textual model for this clause.

I thank the Senator from Michigan.

PROTECTIONS ARE RETAINED AGAINST FORCED POLITICAL CONTRIBUTIONS

A second technical objection to the union shop is the charge that some men do not want to have the dues they pay into a union used for political purposes. But this ignores the prohibitions and limitations which are already imposed by law governing such expenditures. By both the Taft-Hartley Act and the Labor-Management Relations Act of 1959, unions are prohibited from contributing to political parties or candidates for election purposes. Such money as is used for these purposes is raised instead by voluntary contributions through the Committee on Political Education—otherwise known as COPE and similar groups. If a union member does not want to give for such causes, all he needs to do is to refrain. No such contribution is compulsory and, as a matter of fact, a large majority of the members of the AFL–CIO do not contribute to COPE or to any similar group.

Unions and employers alike can spend money to register voters and to advocate or oppose specific pieces of legislation. I think it is only fair and proper that they both can do this, but I wish to stress that this right should be mutual. If it is an admitted right of employers and corporations, it should also be the right of labor and of unions. If denied to labor, it should be denied to capital.

THE INCONSISTENCIES CREATED BY THE INTEGRATED BAR LAWS

I have been somewhat amused by letters which I have received from many lawyers bitterly opposing the union ship, defending the existing section 14(b) and

opposing its repeal. These men are generally—although probably not universally—in the same breath, advocates of the so-called acts to establish an "integrated bar."

What is an integrated bar? I suggest that people can get a good description of an integrated bar in a book recently published entitled "The Integrated Bar," written by David D. McKean, and published by Houghton-Mifflin.

I have been collecting information upon the integrated bar from the American Bar Association and from the Library of Congress.

State integrated-bar laws require membership in the bar association as a prerequisite to practicing before the courts of the State. The various bar associations are private institutions making their own rules and procedures. In the States which have an integrated bar, no matter how able and learned or virtuous a man may be, he cannot practice before the courts of the State unless he is a member of this private organization or guild. If expelled from the bar association, he loses his right to practice and is shut off from earning a living by the actions of a private body.

I have never heard a lawyer protest recently against these integrated bar statutes. On the contrary, it has been legal pressure which got these laws enacted in the first place and which furnishes the driving force to extend them.

Now let us call the roll of these integrated-bar States. The Library of Congress has furnished me with such a list. They are Alabama, Alaska, Arizona, Arkansas, California, Florida, Georgia, Idaho, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. So counting Arkansas, which has a statewide disciplinary organization of which practicing attorneys must be contributing members—an integrated bar in effect—28 States have integrated bars—over half the States of the Nation.

(At this point, Mr. RUSSELL of South Carolina assumed the chair.)

Mr. DOUGLAS. I notice that South Carolina is well and ably represented in the Chamber at this time. The distinguished senior Senator from South Carolina yielded the floor to me so that I might make my speech. I now see in the chair the very able junior Senator, former Governor of that State, and former Assistant Secretary of State under James F. Byrnes.

I congratulate the Senators from that State, when I say that South Carolina apparently does not have an integrated bar. I therefore exempt South Carolina from my list. However, 28 States do have an integrated bar.

It is interesting that 15 of these States, namely, Alabama, Arizona, Arkansas, Florida, Georgia, Mississippi, Nebraska, Nevada, North Carolina, North Dakota, South Dakota, Texas, Utah, Virginia, and Wyoming have integrated bars and also have so-called right-to-work statutes which prohibit unions and employers from agreeing that workers should join the recognized unions after they have been hired. Here we have the State using its powers to compel lawyers to join their professional association and, at the same time, prohibiting employers and employees from agreeing upon a similar procedure for workmen. The lawyers apparently take the position, "It's all right for me, but absolutely wrong for you."

The law is supposed to be a profession which requires logic in a high degree. But the logical and ethical inconsistencies in these situations pass human understanding.

I have heard lawyers attempt to defend these contradictions on the ground that the bar associations are alleged to be Simon pure professional bodies while unions are purely economic organizations. But this attempted definition misses the mark by a very wide margin. By its large degree of control over entrance and expulsion, the bar can largely control the number of practitioners and, hence, indirectly their incomes and their behavior. In their conversations with each other, it is possible for them to work out common policies on fees and their attitudes toward gratuitous legal services to the poor, such as we are now experiencing in the District of Columbia. We may well remember the remark of Adam Smith when he said that "gentlemen of the same trade meet together either for merriment or diversion but that the meeting results in some conspiracy to raise prices." Is human nature much different from what it was two centuries ago?

Are lawyers exempt from this? I do not believe that any fair-minded lawyer, if put on the stand under oath, and compelled to answer, could deny that these and other matters of an economic nature, are considered and formally or informally acted upon by members. The codes of conduct are moreover often of an economic as well as of an ethical character.

Unions, on the other hand, perform some of the functions of the old guilds and of the modern professional organizations. They set standards of competency and help enforce them. They often contribute money individually and organizationally for charitable purposes.

Notice, moreover, that the "integrated bar" statutes are compulsory membership laws imposed throughout a jurisdiction by the coercive powers of the State. The union shop agreements, on the other hand, are not imposed by the State upon industry but are voluntary agreements entered into by labor and management. Moreover, the integrated bar provides not only for a union shop but also, in effect, for a closed shop.

The repeal of 14(b) would therefore give only permissive power to the interested parties to agree on such an arrangement whereas the much touted proposals for an integrated bar, dear to the hearts of so many lawyers, are both mandatory and statewide in character.

THERE SHOULD BE A NATIONAL POLICY PERMITTING EMPLOYERS AND EMPLOYEES TO AGREE ON A UNION SHOP

Hitherto I have been arguing on the basis of principle as to why we should repeal 14(b). And this should be the primary consideration. But we also need to consider the effects of the so-called right-to-work laws upon wages and employment in the 31 States which do not have such laws—of which my State of Illinois is one—and in which the union shop is not illegal.

Frequently I have heard of plants in Illinois which have picked up and moved to some southern right-to-work State because wages are lower there than they are with us. The employer also feels protected against the unionization of his employees not only because of the opposition to unionism on the part of the police, the chambers of commerce, and the local power structures, but also because of the right-to-work laws. This factor also helps to swing new plants in certain industries away from the non-right-to-work States to those which have such laws.

Without wishing to make the South a whipping boy in any respect, this is particularly the case in the 10 Southern States, but I believe it is also one factor, for example, in the movement of meat packing west of the Mississippi and into the high plains.

Moreover, the products of the right to work States with their generally lower scales and less liberal social legislation—and this was fully documented in the Senate hearings—inevitably enter into competition with those from the other States and depress wages and working conditions there. The truth is that, in a national market, where products produced in a given place are sold over the country as a whole, and enter into competition with products from other States, a State cannot live by itself. If it permits and encourages antiunionism, the evil results are not confined within its borders but are spread elsewhere. Modern communications, the steamboat, the railroad, the airplane, the tractor-trailer and superhighways have largely eliminated State boundaries as economic factors. We have a national economic market, and we cannot adequately set minimum standards for that national market State by State, because in so doing, we will always put the advanced States at a competitive disadvantage compared with those States which have lower standards.

That is why we need a national labor policy, and not one which grants to a few States the power to pull down conditions elsewhere. That is why the Wagner Act was passed in 1935. That is why the Social Security Act was passed in that same year. That is why, in 1939, we abolished child labor and established the basic 40-hour week, and why we provided for a national minimum wage. Those facts were fully realized in the thirties, the men who then sat in our seats by overwhelming majorities approved them, and the country, under the stress of a great depression, understood what was involved and acted.

Thirty years have now passed. People give general support to the institution of unionism, but a large body of opinion would at the same time give to the States "hunting licenses" to make unionization difficult if not impossible, and by

so doing, to create pockets of low wages and long hours which undermine labor standards for the whole of the Nation.

Therefore, Mr. President, I believe that we should not make an exception in the case of the union shop, and that we should repeal 14(b).

Mr. President, that concludes my formal speech. I leave the issue to my colleagues and to the country; and now I am happy to yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, if it is within the allowable procedure at this time, could I have 1 minute to comment?

Mr. THURMOND. Mr. President, I ask unanimous consent that the Senator from Illinois be permitted to yield to the Senator from West Virginia for a question, if that is his purpose.

Mr. RANDOLPH. I thank the Senator.

Mr. THURMOND. Without losing my right to the floor, and with the understanding that when I resume, it will not be considered a second speech.

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

Mr. DOUGLAS. I thank both the Senator from South Carolina and the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I am most interested in the pertinent comment of the Senator from Illinois. I refer to his discussion of the earlier acts which came in the thirties, which have meant much, not only to labor, but to business as well. This is true because there has come about a partnership between management and labor through acts like the fair labor standards legislation.

I remember very vell when the opponents of the Fair Labor Standards Act came before the Labor Committee of the House of Representatives, of which I was then a member. Those persons maintained, in effect, that if such legislation became law, it would ruin the business structure of America.

History shows that those fears have not been realized. Unfortunately, the same type of opposition confronted other measures which were enacted into law during the administration of Franklin D. Roosevelt. I compliment the senior Senator from Illinois not only for pointing out the basic issue with which we are now faced, but for his very proper references to the pioneering which has given to America a basis, not for misunderstanding, but for understanding. Business and industry, I repeat, profited by the enactment of the legislation which some segments of business and industry opposed in the thirties.

Mr. DOUGLAS. I thank the Senator from West Virginia very much, and I again express my appreciation to the Senator from South Carolina for yielding the floor. I hope I have given him a little rest, so that he may pursue his arguments with even greater strength than otherwise. I understand that my remarks will be printed before or at the conclusion of his.

Mr. THURMOND. Mr. President, I need no rest. I was happy to accommodate the senior Senator from Illinois, however. I am always glad to accommodate him, even though I frequently disagree with him.

Mr. DOUGLAS. Had the Senator needed the rest, I would gladly have given it to him. I deeply appreciate his kindness to me.

During the delivery of Mr. THURMOND'S speech,

Mr. THURMOND. Mr. President, I ask unanimous consent that I may yield to the Senator from Michigan [Mr. HART] without losing my right to the floor, that his remarks will appear elsewhere in the RECORD, and that upon my resumption it will not be considered a second speech by me on the same legislative day.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT OF SECURITIES ACT OF 1933

Mr. HART. Mr. President, I ask that the Chair lay before the Senate a bill coming over from the House, H.R. 7169.

The PRESIDING OFFICER laid before the Senate H.R. 7169, an act to amend the Securities Act of 1933 with respect to certain registration fees, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HART. Mr. President, H.R. 7169 is identical with S. 1707, a bill to amend 6(b) of the Securities Act of 1933, which passed the Senate yesterday.

I move the adoption of H.R. 7169.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to; and the bill (H.R. 7169) was ordered to a third reading, read the third time, and passed.

Mr. HART. Mr. President, I ask unanimous consent that the action of the Senate yesterday in passing S. 1707 be reconsidered and that S. 1707 be indefinitely postponed.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the vote by which the bill (S. 1707) passed will be reconsidered and S. 1707 will be indefinitely postponed.

REPEAL OF SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of the bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 703(b) of the Labor-Management Reporting Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

During the delivery of Mr. THURMOND'S speech,

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, will the Senator from South Carolina yield to me without losing any of his rights, with the understanding that on his resumption, his speech not be counted as a second speech, and without his rights being in any way considered abridged?

Mr. THURMOND. I yield to the majority leader with that understanding.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the prayer and the disposition of the Journal on Friday, the time thereafter be equally divided between the minority and majority leaders prior to a vote at 1 o'clock.

The PRESIDING OFFICER. Is there objection?

Mr. RUSSELL of Georgia. Mr. President, I did not understand the unanimous-consent request. Is the Senator still proposing to vote by 1 o'clock on Friday?

Mr. MANSFIELD. Yes; and, furthermore, that the time consumed in that period is not to be considered as a second speech on the pending business, whatever the pending business really is.

The PRESIDING OFFICER. Is there objection? If not, it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That the Senate proceed to vote on the motion to lay on the table (to be made by the Senator from Montana [Mr. MANSFIELD]), the motion to proceed to the consideration of H.R. 77, an act to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended, at 1 o'clock p.m. on Friday, October 8, and that the time for debate on the motion following the prayer and approval of the Journal be equally divided and controlled respectively by the majority and minority leaders.

Ordered further, That speeches made before 1 o'clock p.m. on that day not be counted as a speech on the pending question.

During the delivery of Mr. THURMOND'S speech,

Mr. THURMOND. Mr. President, I ask unanimous consent that I may yield to the able, distinguished, and pretty Senator from Maine [Mrs. SMITH] without losing my right to the floor, with the understanding that her remarks will appear elsewhere in the RECORD; and that upon my resumption it will not be considered a second speech on this subject on the same legislative day.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

THE DOMINICAN REPUBLIC CRISIS—RIGHT OF SENATORS TO EXPRESS THEIR OPINIONS

Mrs. SMITH. Mr. President, I want to thank the distinguished Senator, my good friend from South Carolina, for his eloquent words.

Mr. President, recently the distinguished chairman of the Committee on Foreign Relations, the able junior Senator from Arkansas, made some observations in this Chamber critical of the intervention of the United States in the Dominican Republic crisis. For making

this criticism, he was, in turn, severely criticized by many others. That criticism was not limited to disagreement with him on the views he expressed. Instead it criticized him for even expressing his dissent.

I very decidedly disagree with his criticism of the action of President Johnson on the Dominican Republic crisis. I think the President acted courageously, wisely—and prudently. I think that for his action, we can thank Lyndon Johnson that there is not a second Castro in the Western Hemisphere and that the Dominican Republic is not today a sister Communist nation to Communist Cuba. I believe that Americans overwhelmingly feel this way and disagree with the junior Senator from Arkansas.

But I not only defend the right of the junior Senator from Arkansas to express his deeply felt views and his sharp dissent. I admire him for speaking his mind and his conscience. I admire him for the courage to run counter to conformity and the overwhelming majority. God forbid that the U.S. Senate ever become so shackled by conformity or so dominated by a tyranny of the majority that any Senator has to become a mental mute with his voice silenced for fear of being castigated for expressing convictions that do not conform with the overwhelming majority.

Mr. THURMOND. Mr. President, I ask unanimous consent that I may yield to the able and distinguished senior Senator from Mississippi [Mr. EASTLAND], with the understanding that I shall not lose my right to the floor, that his remarks will appear elsewhere in the RECORD, and upon my resumption, it will not be considered a second speech by me on this subject.

Mr. LONG of Louisiana. Mr. President, reserving the right to object, for how long a period of time does the Senator from Mississippi wish to speak?

Mr. EASTLAND. A few minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

REPEAL OF SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of the bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 703(b) of the Labor-Management Reporting Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

During the delivery of Mr. THURMOND's speech,

Mr. EASTLAND. Mr. President, I am opposed to the repeal of section 14(b) of the National Labor Relations Act, as amended. Since 1947 this provision that was adopted in the Taft-Hartley Act has been a Magna Carta of freedom of choice on the part of the States and individuals in regard to union activities. It expresses a constitutional principle of rights that are reserved to the States and to the individual citizens. Even though only 19 States have now enacted right-to-work statutes or provisions in State constitutions, the repeal of section 14(b) would involve rights that are now inherent in all 50 States of the Union.

Compulsory unionism is wrong, not only from a moral standpoint, but also from a constitutional and legal standpoint. I believe the figures are correct that of some 70 million workers in the United States, only 17 or 18 million actually belong to labor unions. The 17 or 18 million who belong to the unions, for the most part, are compelled against their will to follow the direction and dictates of a handful of labor leaders, who are fast becoming potent and powerful political bosses, due to the fact that they hold the balance of economic life and death over the members of the union; and if the Federal Government makes it possible to compel every individual working for an employer that is unionized to join that union, this power over employment and the economic life of the individual workingman will become absolute.

What was said in the conference report adopting section 14(b) is just as true today as it was the day it was written. The report says:

> Under the House bill there was included a new section 13 of the National Labor Relations Act, to assure that nothing in the act was to be construed as authorizing any closed shop, union shop, maintenance of membership, or other form of compulsory unionism agreement in any State where the execution of such agreement would be contrary to State law. Many States have enacted laws or adopted constitutional provisions to make all forms of compulsory unionism in those States illegal. It was never the intention of the National Labor Relations Act, as is disclosed by the legislative history of that act, to preempt the field in this regard so as to deprive the States of their powers to prevent compulsory unionism. Neither the so-called closed shop proviso in section 8(3) of the existing act nor the union shop and maintenance of membership proviso in section 8(a)(3) of the conference agreement could be said to authorize arrangements of this sort in States where such arrangements were contrary to the State policy. To make certain that there should be no question about this, section 13 was included in the House bill. The conference agreement, in section 14(b), contains a provision having the same effect.

Mr. President, if the present Congress takes positive action by repeal of section 14(b), it will be a premeditated and deliberate attempt to preempt the field in this regard so as to deprive the States of their powers to prevent compulsory unionism. If this demand of union labor leaders is met, it will constitute a new variety of "yellow dog" contract, and the full circle will have been encompassed. From an original situation whereby an employer prohibited any member of a union from working in his business, now the employer is prohibited, in turn, from hiring any individual to work for him who does not belong to a union. From the standpoint of the individual, compulsory unionism is not more nor no less than another form of slavery—economic slavery of the worst kind, and one that has a profound effect not only upon the individual himself, but upon the welfare of his wife and family and those that are dependent upon him.

In considering legislation such as this which is now proposed, it is almost impossible to get an expression of opinion from those who are most closely involved in the issue. Who speaks for the 53-odd million workers in America who are not organized into and do not belong to unions? Who speaks for those in unions who believe in unions but are not satisfied with the manner in which their own union is operated, but who are helpless to raise their voices or to take action, due to the plenary power of the union leaders in punishing those who step out of line? Who speaks for those who are now in the unions and do not believe in unions, but cannot express themselves? If the united action of all the powers in organized labor have been able to achieve a membership of 17 or 18 million out of a total labor force of 70 million workers, it is obvious on its face that there are many in the working force who, for reasons of their own, do not care to belong to unions, and yet we all agree that voluntary union for the purpose of collective bargaining is an agency of good for both the workingman and the employer. The sound economic welfare of this country requires that the Federal Government keep it this way and leave it to the individual States to decide for themselves whether or not they desire to establish a union shop or closed shop within a given space.

Mr. President, the specious argument is made that requiring a worker to contribute dues and assessments to a union is not tantamount to requiring him to join the union itself. Literally millions of union members do nothing insofar as the union is concerned but pay the dues that are checked off. It is the money that makes the union powerful, and it is the money that is sought to be exacted by the union leaders through the abolition of right-to-work laws; and regardless of the decision in the Street case, until many more court decisions of a clarifying and complementary nature are rendered, the money is going to be used for political purposes and a wide variety of other purposes that could be inimical to the desires, wishes, principles, and beliefs of the individual who is forced to contribute this money to the union against his will. Compulsory collection of dues and assessments is absolutely equal to compulsory membership in a union, and whether he likes it or not, the person who contributes this money would be a fool not to exercise whatever prerogatives he might get in return for the money.

It was former Supreme Court Justice Cardozo who said:

> There is no freedom without choice. The mind is in chains when it is without the opportunity of choice.

In the origin and development of the labor movement itself, both Mr. Gompers and other labor leaders recognized that voluntarism was the glory of the union movement. Compulsory un-

ionism as proposed by the repeal of section 14(b) is a form of class legislation of the grossest kind. It confers special privileges on the bosses of labor over the working man himself. Gompers' actual words in regard to compulsory unionism—and he was a great man and a great patriot—were:

No lasting gain can come from compulsion. If we seek to force, we but tear apart that which united is invincible. * * * I want to say to you, men and women of the American labor movement, do not reject the cornerstone upon which labor structure has been built, but base your all upon voluntary principles.

George Harrison, president of the Railway Clerks and a chief spokesman for the railway unions, when they asked for repeal of the Railway Labor Act right-to-work provision, made clear in testimony he gave before a committee in the 81st Congress as to exactly how union leaders intended to use the power given to them by compulsory unionism:

Many times you are forced to handle insignificant violations of your contract because a bunch of your members tell you they are going to quit paying dues if you do not.

* * * * *

Senator DONNELL. The union shop is one of the ultimate purposes of this bill, S. 3295. That is correct; is it not?

Mr. HARRISON. Yes.

Senator DONNELL. And in the absence of that—that is, in the absence of the disciplinary power which the union shop would give—you say the union is handicapped?

Mr. HARRISON. Yes.

Senator DONNELL. So, you want to have disciplinary power over these, at least 280,000 or 350,000 people, whatever that figure may be, who are not now members of the union. That is correct; is it not?

Mr. HARRISON. Not only over those people, but over all of our members.

Senator DONNELL. In other words, you want to have disciplinary power over your present membership which you already have?

Mr. HARRISON. But not able to exercise because of the voluntary character of the membership.

Senator DONNELL. You feel you should have disciplinary power over all of them?

Mr. HARRISON. Yes.

Senator DONNELL. Let me ask you this: Disciplinary power means the power to discipline, does it not?

Mr. HARRISON. Yes.

Senator DONNELL. You want it to be applicable not only to the present members but you want it applicable to that number that we will say roughly is 300,000 persons, in addition to the disciplinary power that you have now.

Mr. HARRISON. That is right, but we want it over every person subject to the contract.

Congress did pass the repeal of the right-to-work provision in the Railway Labor Act, and it is interesting to note that after this repeal dues were increased, service to members fell off, and the wishes of the rank-and-file workers were ignored to a greater and greater degree.

The late U.S. Supreme Court Justice Louis D. Brandeis, who was as good a friend as unions and the laboring man ever had, on the question of voluntarism, had this to say:

The union attains success when it reaches the ideal condition, and the ideal condition for a union is to be strong and stable and yet to have in the trade outside its own ranks an appreciable number of men who are nonunionist. Such a nucleus of unorganized labor will check oppression by the union as the union checks oppression by the employer.

And in 1962, our present Ambassador to the United Nations, former Supreme Court Justice, and most eminent labor lawyer, said this:

In your own organization you have to win acceptance not by an automatic device which brings a new employee into your organization, but you have to win acceptance by your own conduct, your own action, your own wisdom, your own responsibility, and your own achievements. * * * from my experience representing the trade union movement this is not a handicap. * * * This is a great advantage * * * you have an opportunity to bring into your organization people who come in because they want to come.

Justice Black said, in an opinion rendered in 1961:

There can be no doubt that the federally sanctioned union shop contract here, as it actually works, takes a part of the earnings of some men and turns it over to others, who spend a substantial part of the funds so received in efforts to thwart the political, economic, and ideological hopes of those whose money has been forced from them under authority of law.

Justice Douglas said:

If the dues are used, or assessments are made, to promote or oppose birth control, to repeal or increase the taxes on cosmetics, to promote or oppose the admission of Red China into the United Nations, and the like, then the group compels an individual to support with his money causes beyond what gave rise to the need for group action.

I think the same must be said when union dues or assessments used to elect a Governor, a Congressman, a Senator, or a President. It may be said that the election of a Franklin D. Roosevelt rather than a Calvin Coolidge might be the best possible way to serve the cause of collective bargaining. But even such a selective use of union funds for political purposes subordinates the individual's first amendment rights to the views of the majority.

I do not see how that can be done even though the objector regains his rights to campaign, to speak, to vote as he chooses. For when union funds are used for that purpose, the individual is required to finance political projects against which he may be in rebellion.

At a later point I am going to have much more to say about this matter of union dues being used for political purposes, but here a much wider area is being covered by these two justices in their discussion of the matter than in the narrow area of political contributions alone.

Expressions of the Nation's press are more or less uniform as being opposed to the repeal of section 14(b). Here are a few samples:

The New York Times, May 26, 1965:

It is strange to find Mr. Wirtz treating this as a matter indistinguishable in essence from wages, hours, plant safety, or other staples of collective bargaining. * * *

But it is a callous oversimplification to suggest that no element of individual liberty is at stake and that the paramount right in the equation is that of management and labor to make whatever disposition of the workers they "deem mutually satisfactory."

New York Herald Tribune, May 19, 1965:

The chief losers if 14(b) is repealed are relatively few in number, and have little political muscle; they're the workers who want the right, if they don't like a particular union, or its leaders, or its policies, or if they simply cherish their independence, not to join. It's extraordinary that a nation so dedicated to liberty should want to take away that right; and that compulsory unionism should become a rallying cry of people calling themselves liberals.

Annapolis, Md., Capital, April 9, 1965:

Compulsory unionism would be a paralyzing blow against the liberties we all hold so necessary to keep America strong.

Pontiac, Mich., Press, March 31, 1965:

To make 14(b) seem, in any way, an anti-labor measure requires some massive twisting of plain language. It simply says that each worker * * * will have the right to join or not to join a union as he chooses, and in either case he can keep his job * * * If that is not basic freedom, what is?

Detroit Free Press, January 23, 1965:

Where the right-to-work law does not exist, there isn't even maintenance of the separate but equal fiction. Its absence is nothing more than legislative acquiescence to racial discrimination in union charters—for all that legislators may have to say about their hearts going out to the Negro and their desire to make him in every way a first-class citizen.

Trenton, N.J., Trentonian, May 25, 1965:

Freedom of belief * * * is what the fight over 14(b) is all about. One simple, basic right that belongs to all Americans. And that's why be believe—with due apologies to Congressman THOMPSON, who violently disagrees with us—that 14(b) should not be repealed. * * *

The basic issue that revolves around 14(b) is one of human rights. That's what makes it so surprising that dedicated liberals such as our own FRANK THOMPSON, who have fought so long and so valiantly for the rights of all people, should now be eager to junk one particular right.

Akron, Ohio, Beacon Journal, February 21, 1965:

Union leaders have long assailed Taft-Hartley as a slave labor law. * * * actually, there is no experience which supports the slave labor claim, as anyone can determine by reading the strike news. The case against 14(b) is similarly exaggerated.

I have a more recent editorial from the Akron Beacon Journal from which I should like to quote. On May 19, the Akron Beacon Journal editorialized and concluded with this statement:

We believe that States which see fit to enact such laws should have the privilege of doing so without being overruled by the Federal Government.

Port Huron, Mich., Times Herald, February 10, 1965:

Why should the Federal Government tell any State whether it should or should not require workers to be members of unions?

Hagerstown, Md., Herald, January 27, 1965:

Fourteen (b) injures no one. Its repeal would benefit only labor union officials. It is the only guarantee against captive union membership. It had best be kept.

Columbus, Ohio, Dispatch, January 10, 1965:

In the balance hangs the workers' own survival and that of their own families. Human bondage has no place in the United States.

San Francisco Examiner, May 20, 1965:

We have found ourselves in agreement with most things L.B.J. has done. We feel that in most matters we think as the President does. Our thinking usually being alike, we have often concurred with his views * * *.

But we think he is wrong in urging abolition of laws which give a worker the right to belong or not to belong to a union, and urge him to reconsider his request to Congress.

This might be an appropriate point, Mr. President, to read into the RECORD a statement by our present President, made as late as 1960 when he was seeking reelection to the Senate, in support of the Texas right-to-work law. He said:

We restate our belief in the free enterprise system which holds the true key to growth and prosperity, and support adequate financing of the Texas Industrial Commission and the tourist program of the State highway department. Necessary to this development are the preservation of good labor relations, the right-to-work law, improvements in industrial and occupational safety, and strict enforcement of our antitrust laws.

If it was good for Texas in 1960, why should it not be good for Texas and the other 49 States to have this freedom to choose or not to choose right-to-work laws in 1965?

The President also said, in his message to Congress on May 18, 1965:

The last 30 years have been unprecedented economic development in this country and unparalleled improvement in the general standard of living of the workingmen and women of America.

Most of this has been accomplished privately. These are the fruits of free enterprise.

This process of economic and human growth has been helped by wise legislative enactment, much of it beginning in the decade of the 1930's.

It is difficult to justify that language with his recommendation to repeal section 14(b) of the Taft-Hartley Act, because the unparalleled and unprecedented economic development about which he spoke was, by and large, achieved in an atmosphere where there was freedom of choice on the part of the States to have or not to have a policy in regard to right-to-work laws; and when we stifle the freedom of choice, we stifle the potential for economic development. As one witness cogently put it:

The fundamental question is whether the Federal Government is going to allow the States to protect individual freedom of choice in the labor field or not. Shall a State be permitted to say to its citizens "you cannot be forced to pay tribute to any private organization in order to hold a job"?

It is unthinkable that under our Bill of Rights the courts of this country would ever require, from a Federal standpoint, that this issue be resolved in favor of compelling an individual to pay tribute against his will and become a member of a private organization he does not choose to join in order to earn a living.

Only last year the Opinion Research Corp., of Princeton, N.J., conducted a poll in which 67 percent of those polled replied that they felt a man should be able to hold a job without regard to whether he does or does not belong to a union.

It is interesting to note that almost every nation in the free world proscribes compulsory unionism. In Europe those nations which do not permit compulsory unionism are Belgium, Denmark, France, Holland, Norway, Sweden, Switzerland, Austria, and Western Germany. These are the countries that are today the most highly industrialized of all in Europe and the ones which are annually increasing their gross national production to a point almost equal to or greater than that of the United States.

As a matter of conscience, it is incredible that this country would exempt a man from combat duty because of his religious convictions in time of war, when our Nation is in the greatest and gravest of peril, and yet require one to join a labor union in peacetime in order to work and support himself and his family, when he is absolutely opposed to joining a union on the basis of deep-seated religious convictions.

Much of the labor law that now appears on the statute books has been put there by legislators who believed that it was justified on the theory that unions are voluntary associations. Now American labor leaders, after winning the concessions on one basis, are trying to tell Congress that it must now turn around and preempt from all the States the power to say whether there shall or shall not be a union shop or a closed shop. The truth is that unions that are honestly run and serve the best interests of their members do not need compulsory unionism to keep them going. A union is neither worthy nor worthwhile when its existence depends upon forcing workers to join under threats of losing their jobs. One of the most incredible elements in the whole movement to repeal section 14(b) is the fact that the very liberals who talk the loudest and longest about civil rights are now bent on destroying the freedom of an individual to choose what organization or association he shall or shall not join and what conditions he must meet to earn the bread for himself and his family. Freedom rests on choice, and where choice is denied freedom is destroyed.

Mr. President, if the proponents of this bill require us to speak at great length and in detail, either this year or the next, it will be a privilege for me to participate to the fullest degree in this debate. In the remarks that I have made today, I have not alluded to the voluminous mass of material that appears in the hearings and files of the Senate Internal Security Subcommittee regarding communistic influences in unions. The past, present, and future attempts of the Communist conspiracy to infiltrate and control unions in this country is as strong an argument as can possibly be advanced against compulsory unionism. I intend to develop this subject to the fullest.

I thank my distinguished friend the senior Sentor from South Carolina [Mr. THURMOND] for his courtesies.

Mr. President, I ask unanimous consent that this be counted as one speech on this subject.

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

Mr. THURMOND. Mr. President, I ask unanimous consent that I may yield to the able and distinguished Senator from Iowa [Mr. MILLER], with the understanding that I shall not lose my right to the floor, that his remarks will appear elsewhere in the RECORD, and upon my resumption, it will not be considered a second speech by me on this subject.

STANDARDS FOR FOOD

During the delivery of Mr. THURMOND's speech,

Mr. MILLER. Mr. President, a little noticed but highly important organization is the Codex Alimentarius Commission, established in 1962 under the auspices of the United Nations Food and Agricultural Organization and the World Health Organization for the purpose of devising an international set of standards for food. There are now 45 of the some 100 eligible nations participating in drawing up this code.

The work of the Commission is highly important—not only as a means of improving the quality of food for consumers but also as a means of discouraging arbitrary standards as barriers against imports of food products, including imports of U.S. food products.

Although these standards will not, in the absence of bilateral or multilateral agreements, have legal status when they are adopted by the Commission, they will have considerable weight of much of the international scientific community behind them, and they can be expected to exercise a strong influence on the form of national food laws around the world and in discouraging their use as nontariff trade barriers.

In today's Wall Street Journal there is an excellent article by Mr. Ted Stanton entitled "Standards for Food," which discusses the work of the Commission. He points out that the Commission is directing its attention to all kinds of standards, not only those relating to the quality of types of food products, but to labeling, methods of analysis, food additives, food hygiene, sampling, and pesticide residues.

He also points out that because of the method followed by the United States in its financial participation in United Nations activities, additional money was not available to sponsor a U.S. delegation to the meetings of the Commission until next year, and that several private companies contributed some $75,000 to finance participation of a delegation during the last 3 years. I believe these companies, unnamed in the article, are due the highest of praise for their contributions; but I am surprised that our Federal Government has not somehow worked out the proper financing of this delegation heretofore. Surely it merits our own Government's strongest support.

I ask unanimous consent that the article from the Wall Street Journal be printed in the RECORD.

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

STANDARDS FOR FOOD: A UNIFORM WORLD CODE IS NEARER DESPITE SOME DISPUTES

(By Ted Stanton)

French and United States delegates square off this week in Paris over an issue little publicized but with potentially broad significance to consumers around the world and the industries that feed them.

In dispute is the scope, and thus to some extent the future, of the Codex Alimentarius (rough translation: food code), the most wide ranging effort yet attempted to bring some uniformity to the tangled food regulations of the world. The French position is clear: Limit the work of the Codex primarily to food standards that do no more than protect consumers' health. The United States is equally firm. Besides insuring that food is wholesome, says Nathan Koenig, Agriculture Department official heading the U.S. delegation to the Codex Commission, "the Codex must also facilitate international trade and help establish a common language for buyers and sellers. We've got to try to give the world's consumers some recognized basis for judging value." And it is vital, he adds, to bring it all together in one accepted body of standards.

If the question of scope isn't resolved in this week's meeting of the committee on principles, the matter will go before the full Codex Alimentarius Commission, which will hold its third annual session October 19–29 in Rome. Even then, accord is far from assured.

However, with or without it, agreement is likely soon, after 3 years of effort, on the first provisional international food standards of the Codex. Though proposals covering sweeteners will be the only ones this year to reach the next-to-final step of provisional status—lacking only one final review by all member nations—lengthy negotiations in a variety of fields have cleared away many obstacles to agreement. And several potential hurdles—so-called nontariff barriers—to future U.S. exports have been deftly turned aside.

The Codex Alimentarius Commission was launched in 1962 under auspices of the United Nations Food and Agriculture Organization (FAO) and World Health Organization (WHO). Its aim was to draw up standards that would bring a measure of harmony to an area characterized by confusion. An FAO study at the time documented the need: At least 135 different agencies or organizations, not even counting governments, were working independently on food standards.

PARTICIPATION BROADENS

Committees were set up at the first annual session in 1963 to line out procedures and principles for the Codex, and to begin work on draft standards. The number of nations participating has increased each year, with 45 of the over 100 eligible countries represented at the session in Geneva last year. The Commission alternates its yearly meetings between Geneva and Rome; committees meet frequently during the year in many places.

U.S. officials are hopeful that establishment of the Codex ultimately will smooth greatly the flow of food products among nations, providing in the process a greater variety of goods of assured quality for housewives of many lands, often at more competitive prices. Declares Franklin M. Depew, president of the Food Law Institute: "U.S. industry has a major stake in the work of the Codex, because of the importance of making sure that other nations don't employ food standards as barriers against imports of U.S. food products."

For international manufacturers and exporters, who must meet multiple requirements of individual countries to move their goods, he notes that unification of legislation would simplify their operations. The Codex is important for those operating within the United States, too, he adds, because "legislation created outside the United States may, as time goes on, be adopted by or influence the United States."

The standards being worked out won't automatically become law for the nations of the Codex, "but that very fact makes it somewhat easier to get broad agreement on them," according to Harry Meisel, a Corn Products Co. executive who has served as one of the industry advisers to the U.S. delegation since the inception of the Codex. The standards, though without legal status, will have the considerable weight of much of the international scientific community behind them, Mr. Meisel notes. "And it is hoped they will have a strong influence in the long run on the form of national food laws around the world, and in discouraging the use of nontariff barriers," he says. "It is more difficult to defend a restrictive regulation if you stand alone when doing it."

Over the years, many food standards have been used to hamper international trade, often to protect a particular segment of a nation's economy. It is frequently done, says Mr. Koenig, "through incorporating into food standards limitations or prohibitions on the use of adidtives or other ingredients."

He notes that an effort was made to write one such restriction into the proposed standards for orange juice. "Out of the first meeting came a proposed requirement that only sucrose in dried form in a specified amount be permitted to be used as a sweetener in orange juice. This would, of course, close the door to the many other sweetening ingredients commonly used in the United States. And it would have set a precedent for standards for other foods that use nutritional sweeteners." Such a ban "would indeed be detrimental" to U.S. fruit juice exports, which run close to $50 million annually, he asserted.

As a result of U.S. opposition, the standard was revised to permit use of any dry sweetener in orange juice.

Corn sirup regulations illustrate vividly the problems faced by manufacturers. Such sirups are used widely in the United States, but in Europe, where beet sugar is big business, the story is quite different, and many sided. An industry survey of 11 European countries' regulations for 10 products, including candy, ice cream, canned fruits, and baked goods, outlined the labyrinth the seller must solve to move his goods.

A DIFFERENCE IN RESTRICTIONS

At that time, it showed, West Germany prohibited use of corn sirup in four products, restricted it in five others and allowed unrestricted use in candy. France barred or curbed it in all but candy and baked goods, Italy in all but ice cream and baked goods. Some items were admitted with declarations on the label, some with corn sirup allowed to account for only a specified maximum percentage of sweetening used. The United States, where nontariff barriers are not unknown, either, had percentage maximums for three of the products, and no restrictions on the others.

By contrast, Great Britain allowed unrestricted use in all 10 products. Remarks Robert G. Ruark, vice president for corporate research of Corn Products: "One would think the English stomach and the French stomach would perform identically, but I suppose the Frenchman would deny this to death."

Curbs appear in other industries, too. In West Germany, the most important restriction on meat, according to Dr. C. E. Murphy, of the Agriculture Department's Meat Inspection Division, is that all offal products, mainly liver and kidneys, "must be completely defrosted and inspected individually after entering the country. This adds considerably to the exporter's cost, for he foots the bill, and the thawing and freezing also detracts from the quality of the meat." The United States, he notes, also defrosts and inspects, but only with samples of each shipment. The whole shipment is rejected, of course, if the sample proves bad, he adds.

Labeling requirements pose other problems. A British quart, for example, contains about 8 fluid ounces more than a standard U.S. quart, and labels on U.S. goods destined for shipment there must conform to the British measure. Language problems alone frequently impose barriers, too.

Bringing some order to these and many other conflicting codes is at the heart of the U.S. position on the range of the Codex. Negotiations on the standards, U.S. officials hope, will ultimately help harmonize many of these and comparable restrictions. But the significance of the Commission's work may be substantially broader. In two areas it could be particularly helpful.

Developing nations frequently lack the resources to write and implement meaningful food laws. Thus Canada finds it necessary to restrict meat imports to products from only 20 specified nations. Less developed nations, many officials believe, will benefit considerably by being able to draw on the Codex. And highly industrialized nations, such as those in the Common Market, may find it decidedly easier to reach an accord on a set of codes that reflect such a broad consensus.

Significantly, notes Mr. Meisel, in the several years that the six-nation Common Market has been striving to write food standards into law, agreement has been reached on only a handful. Another participant in the Codex discussions adds somewhat ruefully, "The food standards business is a slow, slow affair."

An advantage the Codex has over many other agencies working on food standards lies in the broad expertise it can bring to bear through the staffs and resources of the FAO and WHO. The agenda for the Rome meeting of the entire Commission provides an indication of what has already been accomplished.

PROGRESS ON MANY ITEMS

It includes progress reports on standards for milk, fish, honey, poultry, chocolate, fats and oils, fruit juices, meat, labeling, methods of analysis, food additives, food hygiene, sampling, and pesticide residues. Others on fats and oils and on processed fruits and vegetables are about the farthest along toward standards status.

Most of these reports have been prepared by committees that were set up by the Commission during its initial annual meeting in 1963 and staffed with experts from many nations. These committees prepare draft standards and then circulate them among the member nations. After discussion, comment, and much revision within the committee, the proposals finally reach the provisional standard stage. "General assembly type of debate is avoided as much as possible," notes Leonard Lobrad, of the National Canners Association, "because as broad agreement as possible is needed to get them through."

When the drafts reach the provisional stage they are presented to the general meeting and all the member nations get one last chance for review. If the proposals survive, they become part of the Codex Alimentarius.

Over the short life of the Codex, not surprisingly, the troubles haven't been limited to the actual standards being written. A not insignificant question, from the U.S. standpoint, was financing during the first 3 years. Because of the method of U.S. Government financial participation in U.N. activities, additional money couldn't be

voted to sponsor the U.S. delegation until 1966. But several companies pitched in a total of about $75,000, which permitted U.S. participation in the work of the Codex from the beginning.

The international aspects of the Codex spawned some difficulties, too. The agenda adopted for the second session last year indicated a difference over what was said as well as what should be said. One Commission report included a footnote pointing out "discrepancies between English and French and Spanish versions of the report of the first session."

Despite the occasional stops and starts, however, the building of an international set of food standards appears to be progressing.

RELIEF TO VICTIMS OF HURRICANE BETSY—PROPOSED AMENDMENTS TO S. 1861

During the delivery of Mr. THURMOND's speech,

Mr. LONG of Louisiana. Mr. President, will the Senator yield briefly to me, reserving his right to the floor, and with his right to continue his speech without it counting as a second speech?

Mr. THURMOND. Mr. President, I yield to the Senator from Louisiana with that understanding and the further understanding that the remarks of the able junior Senator from Louisiana appear elsewhere in the RECORD.

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

Mr. LONG of Louisiana. Mr. President, some time ago I introduced a bill, (S. 2591) to provide additional assistance for areas suffering major disaster, to help people who had suffered disastrous losses as a result of hurricane Betsy in Louisiana and in some parts of Mississippi.

I have discussed this matter with the distinguished chairman of the Public Works Committee, to which the bill was referred. The chairman pointed out to me that his committee has acted favorably and forwarded to the House S. 1861, which measure is awaiting action by the House. The chairman suggested to me that the most expeditious way in which to get action on this measure would be for the House to amend the bill in order that the Senate conferees, who are the senior members of the Committee on Public Works, might have an opportunity to consider it in conference with the House.

In the event that such action cannot be had in the House of Representatives, I hope that the committee will hold hearings in order that we might proceed with the measure.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the suggested language which the chairman of the Committee on Public Works and I have discussed, and which I anticipate the chairman of the committee will support in the event that the House should see fit to send it to us.

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

PROPOSED AMENDMENTS TO S. 1861 OFFERED BY MR. LONG OF LOUISIANA

On page 4, line 1, after "(d)" insert "(1)".

On page 4, between lines 9 and 10, insert the following:

"(2) The Small Business Administration shall cancel up to $5,000 of the principal obligation of any borrower under a loan made pursuant to section 7(b)(1) of the Small Business Act, if (A) such loan was made for the repair or replacement of property damaged or lost as the result of a major disaster, and (B) such property was not insurable against the type of damage or loss sustained."

On page 11, beginning with line 16, strike out all down through line 22, and insert in lieu thereof the following:

"(b) The Secretary of Agriculture is also authorized to make grants to fish farmers and oyster planters whose fish farming or oyster planting facilities have been damaged as the result of a major disaster. Such grants shall be made for the purpose of assisting such farmers or planters in restoring their facilities to normal productive capacity, or, in the case of oyster planters, to prepare new seeding grounds.

"(c) The amount of the grant authorized under this section in the case of any farmer, or any fish farmer or oyster planter, shall not exceed an amount determined by the Secretary to be equal to two-thirds of the total cost of preparing the damaged farmlands for cultivating and restoring such farmlands to normal productive capacity, or in restoring fish farming or oyster planting facilities to normal productive capacity, or in preparing new oyster seeding grounds, as the case may be, and in no event shall the amount of any such grant in the case of any farmer, fish farmer, or oyster planter exceed $10,000."

On page 11, line 23, strike out "(c)" and insert in lieu thereof "(d)".

On page 12, line 3, strike out "(d)" and insert in lieu thereof "(e)".

Mr. LONG of Louisiana. Mr. President, I hope very much that the House of Representatives will consider this language because I have assurance from the chairman of the Senate committee that an approach of this sort would be favorably considered by the chairman, and that there is good reason to believe that the senior members of his committee would be inclined to go along with this language. It does, in my judgment, substantially what the measure that I had introduced would achieve.

I submit the proposed amendments to S. 1861, which has been passed by the Senate, in the hope that the House will take note of the proposed amendments.

CALL OF THE ROLL

During the delivery of Mr. THURMOND's speech,

Mr. THURMOND. Mr. President, I suggest the absence of a quorum, and request that this quorum call appear at the beginning of my address.

I also ask unanimous consent that upon my resuming after the quorum call, it not be considered a second speech upon this subject on this legislative day.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

[No. 282 Leg.]

Bartlett	Clark	Harris
Bible	Dodd	Hart
Burdick	Douglas	Hickenlooper
Case	Fong	Holland
Church	Gruening	Hruska
Inouye	Miller	Russell, Ga.
Jackson	Morse	Smith
Kuchel	Moss	Sparkman
Lausche	Murphy	Thurmond
Magnuson	Muskie	Tydings
Mansfield	Pastore	Yarborough
McGovern	Proxmire	Young, N. Dak.
McIntyre	Randolph	
McNamara	Russell, S.C.	

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Nevada [Mr. CANNON], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from North Carolina [Mr. JORDAN], the Senator from Missouri [Mr. LONG], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PELL], the Senator from Mississippi [Mr. STENNIS], the Senator from Georgia [Mr. TALMADGE], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Delaware [Mr. WILLIAMS] are absent on official business.

The Senator from New York [Mr. JAVITS], the Senator from South Dakota [Mr. MUNDT], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent by leave of the Senate as delegates to attend the NATO Parliamentary Conference in New York City.

The Senator from Nebraska [Mr. CURTIS], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Kansas [Mr. PEARSON], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. HART. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay: Mr. ALLOTT, Mr. BASS, Mr. BAYH, Mr. BENNETT, Mr. BOGGS, Mr. BYRD of West Virginia, Mr. CARLSON, Mr. COOPER, Mr. COTTON, Mr. ELLENDER, Mr. FANNIN, Mr. HARTKE, Mr. HAYDEN, Mr. HILL, Mr. JORDAN of Idaho, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. LONG of Louisiana, Mr. MCGEE, Mr. MONRONEY, Mr. MORTON, Mr. NELSON, Mr. PROUTY, Mr. ROBERTSON, Mr. SIMPSON, and Mr. WILLIAMS of New Jersey, entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

LEAVE OF ABSENCE

During the delivery of Mr. THURMOND'S speech,

Mr. MILLER. Mr. President, I ask unanimous consent that I may be excused from attendance on the Senate on October 7, October 11 through 14, and October 18 through 22.

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

REPEAL OF SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of the bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 703(b) of the Labor-Management Reporting Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

Mr. THURMOND. Mr. President——

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from South Carolina has the floor.

Mr. THURMOND. Mr. President, the subject of this debate is of intense interest to me for several reasons. It involves a fundamental principle of individual freedom. I have always believed that each generation holds our liberties in trust for the next—that none of us has the right, for his own convenience or to ease the impact of some temporary crisis, to weaken or modify these liberties so that our descendants inherit less than their full share.

Aside from its inherent wrongness in a free country, I believe that the economic and social evils which flow from compulsory union membership are many and varied.

Mr. President, at the outset I intend to speak about three aspects of compulsory unionism which would result if section 14(b) of the Taft-Hartley Act were repealed.

First, how compulsory unionism affects the rights of workers, both union and nonunion.

Second, how compulsory unionism affects the economy and the interests of the general public.

And third, how compulsory unionism affects the union itself.

In all three aspects, the effect is bad. Compulsion in itself is bad. It inevitably corrupts the one who has the power to use it. It makes of the person who is being compelled less than a man. It has no place in a free land, except in the hands of governmental authority for specifically defined and carefully limited purposes.

We speak of "free labor" in this country. In fact, union spokesmen use the phrase constantly. In their minds the phrase has a special and peculiar connotation. But to most of us, the words "free labor" can have only one true meaning. It means freedom for the individual workingman—freedom for any man to work at any trade or calling for which he has the capability; freedom to join a union if he wants to; freedom not to join if he does not want to; freedom to get out of a union if he is opposed to its actions; freedom to do his best in his work and to progress to the full extent of his capacities; freedom to support the political party or candidate of his choice.

But union leadership believes that free labor means something else. They believe that it means freedom for the union, not for the people who belong to it. They believe it means freedom for them to deny jobs to those who will not join their organizations voluntarily; freedom for them to prevent people from working at various trades unless they sign up with the union; freedom for them to refuse union cards to people they do not like or whom they feel they do not have room for; freedom for them to block the entrance to an employer's premises, to damage or destroy his property, to use threats, boycotts, and physical violence to force the acceptance of a union contract. They believe it means freedom for them to use the dues money paid in by their members to elect political candidates favored by union leaders, even if many of the members who pay the dues may be opposed to these handpicked candidates.

They use the term "free labor" to oppose any effort to subject them to the reasonable laws and regulations under which all of the rest of our society must operate. They use it to deny any attempt to place reasonable controls over their exercise of arbitrary power. Anyone who suggests that the unbridled use of such arbitrary power is unfair and alien to our way of life is immediately labeled a "union buster" or "labor baiter."

Mr. President, let me make it clear that I am not against unions. I believe that every man has a right to join a union if he wants to, and that he has an equal right not to join. I believe this right should not be interfered with by either employers or union representatives. We believe that what unions have to sell should be sold on its merits, and not through coercion, intimidation, headcracking, or deals which employers and unions might make for their mutual convenience.

I believe that power in the union should rest with the membership, and not with the professional unionists who hold the top offices, usually for life, with some notable exceptions. Professionals are necessary, of course, to administer the affairs of the union. Collective bargaining is not a job for amateurs. But these professionals should be hired employees of the union who do the bidding of the rank-and-file membership, just as the staff officials of every other type of organization or association in the country. When they fail to carry out the wishes of the membership, they could then be fired and other people hired in their places.

With compulsory unionism, however, the professionals practically own the union. They have almost complete and autocratic power over the rank and file. Within the limits of the Landrum-Griffin Act, it is this power which enables them to perpetuate themselves in office. The professionals are able to appoint their own henchmen to key positions and to elective bodies which almost automatically assures their reelection so that they may continue to operate the union as their own private principality.

It is this power which is being used to force many people into unions against their will and once they are in, to push them around with no regard whatsoever for their rights or their feelings as human beings.

Mr. President, many unions, from the locals on up to the front office of the international, are run by tightly knit cliques, who hand down orders and require obedience to them. In these unions, the rank-and-file member has nothing—absolutely nothing—to say. He is shouted down and perhaps even subjected to some form of punishment if he tries to protest within the union. He may be brought up on charges of conduct "unbecoming a union member" if he protests outside the union, and he cannot resign from the union in protest without forfeiting his job and his livelihood.

Union leaders sometimes will admit that these things happen in some unions. And they accuse anyone who mentions them of trying to blacken the whole union movement because of the sins of the few. Of course, all unions are not dishonestly run. Neither are all men crooks. But because a few are, we have laws to protect honest people against their depredations.

In some unions the rights of the individual are respected and he is given an honest chance to participate in its affairs. But under compulsory unionism the evils I have cited are always a possibility. The leadership of an upright union may change—and there are always men trying to effect such changes for their own personal aggrandizement.

To make sure the rights and the dignity of the individual will be safe under all circumstances, the requirement of membership or nonmembership in a labor organization as a condition of employment should be illegal.

The second aspect I wish to cover deals with the effect of compulsory unionism on the economy and on the general public. The economy and the public are adversely affected because compulsion is the chief prop which sustains union monopoly power.

The dictionary defines the word monopoly as follows: "Exclusive control of the supply of any commodity or service in a given market."

Now, whether or not one believes a labor monopoly exists in this country depends upon how this definition is applied. If it is applied to the Nation as a whole, obviously the charge of labor monopoly cannot be sustained. More than 81.1 million people make up the labor force in this country; and of course a united labor movement with only about 16.8 million members cannot be said to control the labor supply on a national basis.

However, when one applies this definition to certain industries or trades the

picture is different. In many industries, including most of the basic ones, the entire labor supply is under the control of a single nationwide union. And when the officials of this union say "don't work," nobody works. When the officials of this union say "this is the kind of wage and benefit package we want; take it or leave it," even the most powerful corporations in the country have to take it or undergo long, costly, and exhausting strikes.

Mr. President, as a result of this monopolistic power of unions to dictate labor costs in the basic industries, the country is faced with continuing inflation. Labor costs are the chief item in the overall costs of producing goods. When labor costs go up without a corresponding increase in the output per man-hour, a company must raise prices or it will go out of business.

Labor union monopolies, like all monopolies, result in gouging the public. All consumers suffer, particularly those on fixed incomes, such as the retired, the schoolteachers, clergymen, civic employees, white-collar workers, and others who are not able to adjust their own incomes upward as easily as wages are pushed upward in the industrial sectors of the economy. When the consuming public as a whole refuses to pay the higher prices forced by union monopoly power, or becomes unable to pay them, we are going to have recession and unemployment.

In most of our important industries today, there is no such thing as collective bargaining between employers and the representatives of their own employees. The inevitable demands for wage increases and fringe benefits are formulated and dictated in the far-off headquarters of the national or international union. They are presented to individual employers on a take-it-or-leave-it basis. There is not much chance to argue—to protest. It is sign on the dotted line or take a strike. It is collective bludgeoning—not collective bargaining.

Mr. President, it is a fact that a handful of men—and in some cases, one man—has the power to stop the wheels of our major industries; to bring the economy of the Nation to a dead halt. The Government of the United States does not have this power. The President does not have it. The Congress does not have this power. But the few men in control of the labor supply of basic industries do have it. When they do not get their way, they use it—and seemingly no power in the United States is able to stop them.

Now, we may well ask, how did these few men get such power? Did we, the Congress give it to them? Do they exercise such power under a charter from the American people, or even from the people that are supposed to represent? The answer is "no."

Our intent in enacting the labor-management legislation now on the books was to safeguard the rights of individual working people. It was not, and could not have been, the intention of Congress to set up union monopolies.

The intent of the courts in interpreting these statutes, again, was not to create union monopolies. It was to secure to the individual the right of self-organization and collective bargaining with his employer.

But the laws and the decisions of the courts, while not designed to create union monopolies, have provided very few prohibitions against them. Through these loopholes the union bosses have driven with all their energy and determination to create monopolies in fact in most of our basic industries.

As I said earlier, the cornerstone on which union monopoly power rests is compulsion—compulsion on the employer to sign a union shop agreement; and compulsion on the workingman to join the union if he wants to make a living. The basic reason for seeking monopoly power is to be able to use compulsion whenever it seems, to the holder of that power, necessary or desirable.

Union monopoly power is sustained financially by the compulsory collection of union dues—the checkoff. Members must agree in writing to have dues deducted from their pay, or they will find themselves out of a job. Whenever the union overlords decide they need extra money for some purpose, the members are assessed. If they do not pay the assessment, there are various direct and indirect ways to compel payment.

Union monopoly power and its exercise is permissible because unions are exempt from the legal liabilities under Federal law to which all other persons and organizations are subject. Because of the doctrine of Federal preemption promulgated by the Supreme Court which holds that the States have no power to act in a field over which the Federal Government has taken jurisdiction, there is little the several States can do to control or regulate the monopolistic operations of unions. The one exception of note is section 14(b) of the Taft-Hartley Act permitting State right-to-work laws; hence, the unremitting effort of the union leadership to effect its repeal. Moreover, I suspect that a major reason the union movement is so vigorously urging the repeal of section 14(b) in this session is that, as Lawrence Fertig said in his column of June 7, 1965:

> Total union membership has fallen off and any increase that has occurred in recent years has come because of Presidential Executive orders permitting unions to be formed by employees of the Federal Government.

Unions are in effect separate sovereignties. Their leaders are answerable to no one but themselves.

Mr. President, there are some in America who think this situation is perfectly all right—some people in high places in intellectual circles, in government, and even in business. The argument goes that the so-called union shop—which in actual practice becomes the closed shop—should be a matter of contract between an employer and a union; and that any prohibition of such agreements by law is a curtailment of the right of contract.

But what about the rights of the individual? Have we drifted so far from the principles of individual freedom on which America was founded that contract rights take precedence over the inherent rights of the individual?

If two parties—an employer and a union—bargaining in their own interests, can enter into a contract which violates the rights of the individual who works for that employer, personal freedom for the workingman is dead in America.

What happens to the human dignity and rights of the individual craftsman under these circumstances? His representation in the important matter of earning a living is all staked out for him. He must accept it no matter how arrogant or venal it might be; and he must maintain himself in the good graces of the union if he wants to earn a living at his trade. If he opposes the union boss, he will not be certified for a job. He must, in effect, surrender his dignity, his self-respect, and his birthright as a free American.

Many who support such forced surrender of individual rights justify it on the ground that it is "practical," that it will encourage labor-management "peace," a matter in which the public has an important stake. It may encourage peace, all right—the peace of surrender; the peace which prevails under a dictatorship when all opposition has been liquidated. That kind of peace is the kind that true Americans have never accepted and never will.

Let me move on to the third aspect of compulsory unionism that I mentioned—the effect of compulsion on the union itself. The effect is demoralizing and corrupting. There are numerous ways in which union leaders can discipline the union membership, but virtually no way in which the membership can discipline the leaders. This being the case, the way is wide open for almost every kind of chicanery imaginable. In fact, this situation attracts some of the worst elements of society into the labor movement. They know a good thing when they see it, and they muscle right in. And while they are muscling in, the rank-and-file members of the union cannot get out.

As the Senate hearings some years ago revealed, monopoly power and compulsion are being used to maintain crooks, racketeers, gangsters, and hoodlums—or their puppets and front men—in the top positions in some unions. With one hand they keep a tight grip on the workingman's throat, so that he can neither move nor cry out in protest; with the other they reach into his pay envelope and into his welfare fund in order to enrich themselves.

Mr. President, if compulsory unionism is outlawed, unions will have to devote more attention to service to their members and to the community, and less to extending their power and authority over both. Any supposedly voluntary association which needs compulsory membership in order to survive and thrive is obviously not operating in the bests interests of those whose money supports it. According to union leadership, the union shop is necessary for union security. In my opinion, the only kind of security they are entitled to is the security which comes voluntarily from a loyal and enthusiastic member-

ship for whose true interest they are always working. The fact that union leaders say they need compulsion for security is positive evidence they are not doing this kind of job in many cases today. In this connection, Samuel Gompers once said:

Men and women of our American trade union movement, I feel that I have earned the right to talk plainly with you. I want to urge devotion to the fundamentals of human liberty—the principles of voluntarism. No lasting gain has ever come from compulsion. If we seek to force, we but tear apart that which, united, is invincible.

If the prop of compulsion is taken away, we shall remove the basis of union monopoly power in America. Unions can then go about their rightful function, which is to represent their members in collective bargaining negotiations. Furthermore, they will do a much better job of it for all concerned, and mutual cooperation between employers and workers for the good of the Nation will become a reality.

Mr. President, as we begin the discussion of this proposal to repeal section 14(b) of the Taft-Hartley Act, I believe it desirable to reach an understanding as to the definition of the terms involved. This will, of necessity, require some rather academic definitions. This is, however, necessary so that both sides on this issue will be able to more fully understand the other's viewpoint.

WHAT ARE RIGHT-TO-WORK LAWS?

Briefly, right-to-work laws are statutes or constitutional provisions which forbid "compulsory unionism;" that is to say, any practice or procedure under which workers are forced into membership in a labor organization which they would not freely and voluntarily join or which they oppose. The compulsion in such cases is usually the threat that the worker will lose his job unless he joins the union or unless he maintains good standing in the union. In other words, compulsory unionism is exemplified by the union which, in its labor contract with management, makes membership in the union a prerequisite for employment. The most common forms of compulsory unionism result from the use of the "closed shop" provision or the "union shop" provision in a labor contract. A less common form is the "maintenance-of-membership" provision. Under a "closed shop" contract, an employee must be a member of a particular union in order to get a job. The employer can hire only those workers who are already members of the union. The source of employees for management in such cases is the union or the union hiring hall, not the open market. Where there is a "union shop" contract, the employee is required to join a particular union within a specified time and to maintain good standing in that union in order to keep his job.

In his book "The Closed Shop," Father Toner perceives difficulty in stating the "closed shop principle":

A definition of the closed shop principle in the United States is difficult to formulate. The spirit of exclusion of nonmembers may take various forms. It may be embodied in the constitution or bylaws of a national or local union, prohibiting members from working side by side with nonunionists. It may be the rule or custom of a union, enforced by strikes, by understanding or by oral agreement with the employer. It may be incorporated into the written agreement with the employer; in such cases the employer agrees with the union that all employees covered by the agreement * * * shall be or become, and remain union members in good standing, or be discharged (p. 22).

Most of the courts and textbook writers on such subjects as labor relations or labor economics have experienced no such difficulty in formulating a definition of the closed shop. Father Toner himself proceeds to demonstrate this in the very effort to enlarge upon his strange difficulty with the definition:

It is easier to describe the term "closed shop" than to define it. Dr. William M. Leiserson said: "A closed shop, as popularly understood in the United States, is a place where none but union members may work." The U.S. Department of Labor appears to agree: "In union agreements, a closed shop is established by a provision requiring union membership as a condition of employment in the plant or in the occupation covered by the agreement." But such a definition seems to emphasize place rather than principle (p. 28).

In "American Labor Unions," Florence Peterson defines "closed shop" as "an agreement between an employer and a union which specifies that no persons shall be employed who are not members of the union and that all employees must continue to be members in good standing throughout their period of employment."

And the same author defines "union shop" as "an agreement between an employer and a union which requires all employees immediately after hiring or after a specified probationary period, to become and remain members of the union."

Philip Taft, in his "Economics and Problems of Labor," has this to say on the subject:

The right of a worker to belong or not to belong to a union while employed in a particular plant will be determined by the agreement between the union and the employer on this point. The basic types of relations are the closed and open shop, and a number of variations of each have been devised. A closed shop exists where none but union workers may be employed. Some closed union shop arrangements specify that only union men can be hired. This means that before a worker can be accepted for employment he must be a member of the union. In some cases it merely means that a worker must join the union before he goes on the job. On the other hand, some unions also follow the policy of insisting upon a closed shop and a closed union. In this case the union does not admit all workers in its trade or class at all times, but it closes its books when its officials or members are convinced that the present members of the union are adequate to supply the demand for labor. The closed shop and the closed union, as can be seen, constitute a method by which the union seeks to monopolize the employment opportunity for its own members and to exclude all others. A third type of closed union shop is one in which the employer is allowed to hire nonunion men, who, however, must affiliate themselves with the union within a specified time—usually between 15 and 30 days after employment.

Bulletin No. 908 of the U.S. Department of Labor, Bureau of Labor Statistics, published in 1947 devotes the following lines to the "closed shop":

Under the "closed shop" form of union security, the company obligates itself to hire and retain in its employ union members only. "Closed shop" has been defined to include recruitment by or through the union or the requirement that all new members be members at the time of employment. The agreement may provide that the employer may reject a worker, referred to him by the union, who does not meet the specific standards set by the employer or the contract. When an agreement establishes the closed shop for the first time, employees are required to become members of the union within a short time after the signing of the agreement.

Under the heading "Union Shop," the same bulletin reads:

The union shop differs from the closed shop in that the employer is free to hire nonunion workers and is the sole judge of the qualifications of the applicant. The union shop is identical with the closed shop in that membership in the union is a condition of continued employment, and suspension from the union may entail dismissal from the job. However, unlike the closed shop, union membership may not be acquired until immediately following employment, or within a stipulated period thereafter.

Mr. President, the leading case which in New York has legitimated the closed shop is *Williams* v. *Quill*, 277 N.Y. 1; certiorari denied 303 U.S. 621. The following excerpt from the decision in that case indicated a judicial concept of the closed shop:

We find that a labor organization is permitted to combine and to strike in a particular industry for the purpose of obtaining employment for its own people, even to the extent of excluding others from the entire industry who are not union men. The one reservation in this law is that the attempt to accomplish the end shall be carried out in good faith and for the declared purposes, and not through malice or ill will or a desire to injure nonunion employees or simply and solely for the purpose of keeping them out of work.

If all this be lawful, what is there unlawful in negotiating with an employer to accomplish through strike, which leads so frequently to disruption of business and violence? If the railroads in this instance, acting upon their own initiative, determine to dispense with the services of nonunion men, I know of nothing in the law which would prevent them from doing so; or, to put it in a different way, if the defendant employers should come to their decision that, for the good of their enterprises, they would thereafter employ only union men, I do not see how the law could prevent them from doing so, or from discharging the plaintiffs and their nonunion employees. It might be an unpleasant situation for all, but, nevertheless, one with which the law could not interfere.

And * * * if there be an evil in the monopoly of the labor market in a particular industry by labor organizations, it is a matter to be considered by legislatures and not by the courts for the reason that there are two sides to the question—the other side being that the labor organizations, through this means of contracting and negotiating, are enabled to strengthen their representative bodies and to effectuate collective bargaining. Of course, demands on either side may be carried too far. These, however, are not matters for the courts to consider. Public opinion is soon reflected in legislation. We can simply approach the question and decide it according to principles of law. The wisdom of legislation or the reasonableness

of action under legislation are matters which must be put aside by us in considering these questions.

Mr. President, without laboring the point any further, the quotations given above provide authoritative definitions of the closed shop and the union shop.

The right-to-work laws are aimed at the elimination of such forms of compulsory unionism. They regard trade unions like other private organizations or groups, as based upon a philosophy of free association rather than coerced association. It would be absurd to propose a system or practice of forcing people to become members of the Roman Catholic Church, or members of the Elks, or members of some civic association merely because one was persuaded that such membership is, in and of itself, a good thing. Those who have proposed and passed right-to-work laws feel that free association is as much a part of the American tradition of civil liberties as free speech.

THE TEXT OF SOME ACTUAL RIGHT-TO-WORK LAWS

There is no substitute for a careful reading of the actual texts of some of the right-to-work laws which are now on the statute books. Let us begin with the Wyoming State law, which is the most recent enactment of a right-to-work law:

WYOMING STATUTES—TITLE 27

SECTION 245.1. Right to work—Definitions. (a) The term "labor organization" means any organization, or any agency or employee representation committee, plan or arrangement, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work. (b) The term "person" shall include a corporation, association, company, firm or labor organization, as well as a natural person.

SECTION 245.2. Same—Membership in labor organization not required. No person is required to become or remain a member of any labor organization as a condition of employment or continuation of employment.

SECTION 245.3. Same—Abstention from membership in labor organization not required. No person is required to abstain or refrain from membership in any labor organization as a condition of employment or continuation of employment.

Section 245.4. Same—Payment or nonpayment of dues not required. No person is required to pay or refrain from paying any dues, fees, or other charges of any kind to any labor organization as a condition of employment or continuation of employment.

Section 245.5. Same—Connection with or approval by labor organization not required. No person is required to have any connection with or be recommended or approved by, or be cleared through, any labor organization as a condition of employment or continuation of employment.

(The foregoing section, section 245.5, was held unconstitutional in the case of *Local 415, International Brotherhood of Electrical Workers* v. *Hansen*, 400 P. 2d 531 [Wyoming 1965].)

Section 245.6. Same—Misdemeanor to impose or try to impose prohibited requirements; civil liability. Any person who directly or indirectly places upon any other person any requirement or compulsion prohibited by the act [§§ 27–245.1 to 27–245.8], or who makes any agreement written or oral, express or implied, to do so, or who engages in any lock-out, lay-off, strike, work stoppage, slow down, picketing, boycott or other action or conduct, a purpose or effect of which is to impose upon any person, directly or indirectly, any requirement or compulsion prohibited by this act, is guilty of a misdemeanor and shall also be liable in damages to any person injured thereby.

Section 245.7. Same—Injunction against prohibited conduct. Any person injured or threatened with injury by any action or conduct prohibited by this act [§§ 27–245.1 to 27–245.8] shall, notwithstanding any other law to the contrary, be entitled to injunctive relief therefrom.

Section 245.8. Same—Penalties for misdemeanor. Any person convicted of a misdemeanor, as defined in this act [§§ 27–245.1 to 27–245.8], shall be punished by a fine not to exceed one thousand dollars ($1,000), or imprisonment in the county jail for a term not to exceed six months, or both.

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

Mr. THURMOND. I am delighted to yield to the able and distinguished Senator from Wyoming.

Mr. SIMPSON. Does the Senator know that in Wyoming, subsequent to the passage of the right-to-work law in 1963, there was, in 1965, an attempt to repeal the right-to-work law in Wyoming? The repeal was defeated by a narrow margin and the bill became law.

Mr. THURMOND. I have been told that was the case. I was pleased when I learned that the State of Wyoming passed the right-to-work law. I was also pleased when I learned that the effort to repeal the law this year was defeated.

Mr. SIMPSON. Does the Senator have a list of the number of labor unions prior to the right-to-work laws in the various States and subsequent to the passage of the bills?

Mr. THURMOND. I believe I have such information, but I do not have it with me at the moment.

Mr. SIMPSON. I call the attention of the Senator to the fact that in Wyoming the number of the labor force in 1961, prior to the passage of the Act was about 16,000. In 1963 it was about 17,000. After the right-to-work law came into existence in Wyoming the number of union members went from 16,000 to over 18,000, almost 19,000 laborers. We have the least number of unemployed now that we have had in the last 12 years.

Mr. THURMOND. In other words, since the passage of the right-to-work law in the State of Wyoming, as I understand, membership in labor organizations has increased.

Mr. SIMPSON. The Senator is correct.

Mr. THURMOND. Rather than decreased, as some opponents of the right-to-work law contended it would.

Mr. SIMPSON. The Senator is correct.

Instead of asking questions, if I may, I would prefer to make a brief statement.

Mr. THURMOND. Mr. President, I ask unanimous consent that the Senator from Wyoming be permitted to propound any questions or make any statement on this subject during this colloquy; I shall be pleased to yield to him for that purpose, without losing my right to the floor, and with the understanding that upon his completion, when I resume, it will not be considered a second speech by me on this subject on this legislative day.

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

Mr. SIMPSON. The observation I desire to make is that in 1963 a statewide educational program was carried on in Wyoming with respect to the passage or nonpassage of a right-to-work law. Significantly, the newspapers and various organizations were quite equally divided on the question. But the bill now being considered in Congress, which seeks to repeal section 14(b), has raised grave doubts in the minds of the people of Wyoming with respect to the usurpation of State authority and State jurisdiction. The result is that most of the important organizations in Wyoming are violently opposed to the repeal of section 14(b). Newspapers which had previously been against a right-to-work law in Wyoming are now taking up the cudgels, through editorials and otherwise, against the repeal of that law and are violently opposed to any attempt to do so. To me, that is a significant showing.

I compliment the Senator from South Carolina for the marvelous work he is doing and has done in the Senate with respect to the constitutional rights of citizens, and his refusal to bow to the attempt by the Federal Government to usurp the jurisdiction of State laws.

Mr. THURMOND. I thank the able Senator from Wyoming. There is no question that has come before the Senate since I became a Member 11 years ago that I consider of more paramount importance than the subject that is now before us. We hear much these days about so-called civil rights. I cannot imagine any civil right that is more important than the right of a man to make a living for himself and his family without being compelled, by force or coercion, to join a labor union or any other organization. I still believe in freedom. I believe the American people still believe in freedom. Certainly we are denying freedom to people when we tell them, "You have to join a labor union in order to get a job," or "You have to join a labor union so many days after you get a job in order to retain the job."

To my way of thinking, that is a matter that, as Samuel Gompers, the great labor leader, said many years ago, should be left to each individual to decide.

We do not compel people to attend church or to join a church.

Some persons say that people who do not join unions are free riders. But Samuel Gompers answered that argument clearly when he said that what one wants to do is a matter for one's own conscience.

If a person wishes to join a church, he has the right to do so. If he does not wish to join a church, he should not be forced to do so.

Samuel Gompers said that no one should be forced to join a labor union unless he wanted to do so. That is sound.

Numerous members of labor unions have told me that they would get more consideration, they felt, if there were no compulsory union membership law. They say that if there were a compulsory union membership law, they would all

have to join a union. Then the union bosses could then kick the members around, could mistreat them, could ignore them, and could handle their business in such a way that it would be entirely unsatisfactory to them, and they would have little, if any, recourse. But so long as the unions know that they have to cater to the members and respond to their wishes, they must treat the members right. They must accord them courtesy; they must respect them and their rights in the union; otherwise, the unions know that they will lose members.

To my way of thinking, it is most important that we preserve the right of freedom to join or not to join a labor union. What the opponents of the repeal of section 14(b) advocate is merely to leave the decision to each State. I feel that the people of Wyoming, as expressed through the Legislature of Wyoming, know better what they need than does Congress sitting in Washington, 1,000 or 1,500 miles away.

Mr. SIMPSON. To repeal section 14(b) would be to repeal by the backdoor the right which States have to pass their own laws.

Mr. THURMOND. If section 14(b) were repealed, Wyoming could not have a right-to-work law. My State of South Carolina could not have a right-to-work law. None of the 19 States which have right-to-work laws could have such laws.

Why cannot the people of the States make their own intelligent decisions on this question, rather than to have the Federal Government in Washington tell then what they have to do; that they have to join a union in order to get a job? Why should Congress step in and tell the people of any State what they must do? Let the legislature of each State decide.

Mr. SIMPSON. I heartily agree with the statement of the Senator from South Carolina. I am glad to be associated with him in this fight for freedom, as I call it, and in this debate in depth.

I propose to speak at greater length on this subject during the debate that will ensue in the next few days.

I thank the Senator from South Carolina for yielding.

Mr. THURMOND. I recall the first day on which the debate opened. The able Senator from Wyoming was a member of team No. 1, of which I have the honor to be captain. The Senator from Wyoming was our lead-off speaker, the first speaker that day for our team. He delivered a masterful address. He made an outstanding contribution to the debate. I only hope that Members of the Senate and the American people as a whole will take occasion to read the outstanding address that the Senator from Wyoming made on Monday.

Mr. SIMPSON. The Senator from South Carolina is overgenerous; but I thank him nevertheless.

Mr. THURMOND. Mr. President, the text of the right-to-work law of the State of South Carolina is as follows:

CODE OF LAWS OF SOUTH CAROLINA, TITLE 40

SEC. 46. Denial of right to work for membership or nonmembership in labor organization against public policy. It is hereby declared to be the public policy of this State that the right of persons to work shall not be denied or abridged on account of membership or nonmembership in any labor union or labor organization.

SEC. 46.1. Agreement between employer and labor organization denying nonmembers right to work, etc., unlawful. Any agreement or combination between any employer and any labor organizations whereby persons not members of such labor organizations shall be denied the right to work for such employer or whereby such membership is made a condition of employment, or of continuance of employment by such employer, or whereby any such union or organization acquires an employment monopoly in any enterprise, is hereby declared to be against public policy, unlawful and an illegal combination or conspiracy.

SEC. 46.2. Certain acts required of employee as condition of employment or continuance of employment made unlawful. It shall be unlawful for any employer:

1. To require any employee, as a condition of employment, to be or become or remain a member or affiliate of any labor organization or agency;

2. To require any employee, as a condition of employment, or of continuance of employment, to abstain from membership in any labor organization; or

3. To require any employee, as a condition of employment, or of continuance of employment, to pay any fees, dues, assessments or other charges or sums of money whatsoever to any person or organization.

SEC. 46.3. Deduction of labor organization membership dues from wages. Nothing in this chapter shall preclude any employer from deducting from the wages of the employees and paying over to any labor organization, or its authorized representative, membership dues in a labor organization: *Provided*, That the employer has received from each employee on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than one year, or beyond the termination date of any applicable collective agreement or assignment, whichever occurs sooner.

SEC. 46.4. Labor organization contract violating section 40–46.1 or 40–46.2. It shall be unlawful for any labor organization to enter into or seek to effect any agreement, or arrangement with any employer declared to be unlawful by section 40–46.1 or 40–46.2.

SEC. 46.5. Applicability of sections 40–46.1 to 40–46.3. The provisions of sections 40–46.1 to 40–46.3 shall not apply to any contract, otherwise lawful, in force and effect on March 19, 1954, but they shall apply to all contracts thereafter concluded and to any renewal or extension of existing contracts.

SEC. 46.6. Interference with right to work, compelling labor organization membership, picketing, etc., made unlawful. It shall be unlawful for any person, acting alone or in concert with one or more persons:

1. By force, intimidation, violence or threats thereof, or violent or insulting language, directed against the person or property, or any member of the family of any person (a) to interfere, or attempt to interfere, with such person in the exercise of his right to work, to pursue or engage in, any lawful vocation or business activity, to enter or leave any place of his employment, or to receive, ship or deliver materials, goods or services not prohibited by law or (b) to compel or attempt to compel any person to join, or support, or refrain from joining or supporting any labor organization; or

2. To engage in picketing by force or violence or in such number or manner as to obstruct or interfere, or constitute a threat to obstruct or interfere, with (a) free ingress to, and egress from, any place of employment or (b) free use of roads, streets, highways, sidewalks, railways or other public ways of travel, transportation or conveyance.

Nothing in this section shall be construed so as to prohibit peaceful picketing permissible under the National Labor-Management Relations Act of 1947 and the Constitution of the United States.

SEC. 46.7. Penalties. Any employer, labor organization, or other person whomsoever who shall violate any provision of this chapter shall be guilty of a misdemeanor, and, upon conviction thereof in any court of competent jurisdiction, shall be punished by imprisonment for not less than 10 nor more than 30 days or by a fine of not less than $10 nor more than $1,000 or by both in the discretion of the court.

SEC. 46.8. Remedy for violation of rights; relief court may grant. Any person whose rights are adversely affected by any contract, agreement, assemblage or other act or thing done or threatened to be done and declared to be unlawful or prohibited by this chapter shall have the right to apply to any court having general equity jurisdiction for appropriate relief. The court, in any such proceeding, may grant and issue such restraining, and other, orders as may be appropriate, including an injunction restraining and enjoining the performance, continuance, maintenance or commission of any such contract, agreement, assemblage, act or thing, and may determine and award, as justice may require, any actual damages, costs and attorneys' fees which have been sustained or incurred by any party to the action, and, in the discretion of the court or jury, punitive damages in addition to the actual damages. The provisions of this section are cumulative and are in addition to all other remedies now or hereafter provided by law.

The right-to-work laws of those States which have such laws vary. While most are enactments by the State legislature, some have been adopted in statewide referendums by the direct vote of the people. In other cases, the law has been written into the constitution of the State. This is the case in the State of Arizona. Article 2, section 35 of the constitution of the State of Arizona reads as follows:

No person shall be denied the opportunity to obtain or retain employment because of nonmembership in a labor organization, nor shall the State or any subdivision thereof, or any corporation, individual or association of any kind enter into any agreement, written or oral, which excludes any person from employment or continuation of employment because of nonmembership in a labor organization.

In addition to the constitutional provision, Arizona also has sections of their code of laws which deal with this subject.

EXPERIENCE WITH RIGHT-TO-WORK LAWS—THE BASIC ISSUE

From what has been set forth above, it is clear that the issues, whether legal or moral, raised by the right-to-work law do not include the issue whether labor unions, in general or individually, are good or bad, legal or illegal. Nor is the issue the question whether voluntary labor organizations are less efficient than compulsory organizations. Still less is the issue concerned with speculation or prognosis on the benefits which workers can achieve under compulsory unionism as compared with free association. Least of all is the issue one of the motives behind particular persons or groups who favor right-to-work laws. Rogues can use or desire even good legislation for bad purposes; just as, from

time immemorial, rascals have quoted the Bible to their own uses.

The only question is whether right-to-work laws, as exemplified above, are legally, politically, and morally good.

The issue can be put in another way. Should workers be coerced, under the threat of loss of their jobs and so of their livelihood, to join or support a particular private organization such as a labor union?

The basic principle involved would seem to be fully applicable to any type of laudable organization or group, whether it be a trade union, a civic society, a church or any other grouping to be found in our very pluralist society.

Right-to-work laws are based on the principle that a worker's preference not to belong to a particular union, or not to engage in particular union activity, should not be punished at the instance or on the agreement of private groups by the loss of his job. The type of legislation under consideration outlaws employer-union contracts which make union membership a condition of employment.

Some of this legislation prohibits or limits picketing or other mass action by unions where such picketing or action makes it dangerous, difficult, or embarrassing for nonunion workers to accept or to continue employment. Sponsors of right-to-work laws believe that it is just as much the duty of government to protect against economic reprisal the right of an individual to work as to quit work. Both of these are as sacred as the constitutional right of life, liberty and the pursuit of happiness.

BACKGROUND IN UNION HISTORY

Compulsory unionism, which is the subject of the ban of right-to-work laws, did not figure prominently or essentially in that part of the history of unionism which is significant for the United States of America today. Most of the big unions in the United States—like the steelworkers—and indeed in Europe have grown strong and reached maturity without extensive reliance on the union shop or the closed shop.

Norman J. Ware's "Labor in Modern Industrial Society" is basically a historical treatment of the subject. Copyrighted in 1935, it does not even have an entry in its index under the name "Closed shop," although both union shop and closed shop are briefly mentioned in the text, pages 355–356. Certain it is that, as he develops the history of trade unionism, neither the union shop nor the closed shop were common in the early period of the formation of our great unions. But as of the middle 30's, he finds that the union shop is "the commonest arrangement between organized employers and employees." After a paragraph devoted to "union shop" and another paragraph devoted to "nonunion shop," Ware continues:

While the above two types of shops are common, there are other types which involve a large measure of coercion. The latter have grown out of special conditions and both employers and employees would argue in their cases that these conditions justify the element of coercion involved. If there is any culpability to be attached to coercion found here, it falls alike on the employers and the employees.

The antiunion shop, commonly called the open shop, is a shop operating on the principle of nonunion recognition and enforcing that condition by coercion and discrimination. When it is called the American plan it adds to coercion an element of hypocrisy and jingoism. Trade unionism is as American as is free enterprise and grew up along with it shortly after the American Revolution.

The union shop and closed union creates a monopoly of the labor supply under a union agreement by refusing to take new members into the union or by limiting the membership to the children of union members, and in modified form by restrictions on the membership through excessively high dues, apprenticeship regulations, etc. These practices may or may not be harmful (pp. 355–356).

At the turn of the century, however, and with the impetus given by the decision of the highest court of the State of New York in *National Protective Association of Steamfitters and Helpers* v. *Cumming* (170 N.Y. 315), decided in 1902, compulsory unionism made itself more and more felt. The reasoning of the court in the Cumming case was squarely based upon an amoral principle of utterly free and untrammeled competition. Some quotations from the decision will establish this:

The court recognized "the right of one man to refuse to work for another on any ground that he may regard as sufficient, and the employer has no right to demand a reason for it. But there is * * * no legal objection to the employee's giving a reason, if he has one, and the fact that the reason given is that he refuses to work with another who is not a member of his organization, whether stated to his employer or not, does not affect his right to stop work nor does it give a cause of action to the workman to whom he objects because the employer sees fit to discharge the man objected to rather than lose the services of the objector."

The same rule applies to a body of men who, having organized for purposes deemed beneficial to themselves, refuse to work. Their reasons may seem inadequate to others, but if it seems to be in their interest as members of an organization to refuse longer to work, it is their legal right to stop. The reason may no more be demanded, as a right, of the organization than of an individual.

It seems to me illogical and a little short of absurd to say that the everyday acts of the business world, apparently within the domain of competition, may be either lawful or unlawful according to the motive of the actor. If the motive be good, the act is lawful; if it be bad, the act is unlawful. Within all the authorities upholding the principle of competition, if the motive be to destroy another's business in order to secure business for yourself, the motive is good; but according to a few recent authorities, if you do not need the business, or do not wish it, then the motive is bad.

Those principles concede the right of an association to strike in order to benefit its members; and one method of benefiting them is to secure them employment, a method conceded to be within the right of an organization to employ. There is no pretense that the defendant associations or their walking delegates had any other motive than one which the law justifies of attempting to benefit their members by securing their employment * * * the motive which always underlies competition is asserted to have been the animating one. It is beyond the right and power of this Court to import into that finding, in contradiction of another finding or otherwise, the further finding that the motive which prompted the conduct of the defendants was an unlawful one, prompted by malice and the desire to do injury to the plaintiffs without benefiting members of the defendant associations.

The defendant associations * * * wanted to put their men in the place of certain men at work who were nonmembers working for smaller pay, and they set about doing it in a perfectly lawful way. They determined that if it were necessary they would bear the burden and expense of a strike to accomplish that result, and in so determining they were clearly within their rights * * *. They could have gone upon a strike without offering any explanation until the contractors should have come in distress to the officers of the associations asking for the reason for the strike.

Having the right to insist that plaintiff's men be discharged and defendant's men put in their place if the services of the other members of the association were to be retained, they also had the right to threaten that none of their men would stay unless their members could have all the work there was to do.

A man has the right under the law to start a store and to sell at such reduced prices that he is able in a short time to drive the other storekeepers in his vicinity out of business, when, having possession of the trade, he finds himself soon able to recover the loss sustained by ruining the others. Such has been the law for centuries. The reason, of course, is that the doctrine has generally been accepted that free competition is worth more to society than it costs and that, on this ground, the infliction of damages is privileged.

A labor organization is endowed with precisely the same legal right as an individual to threaten to do that which it may lawfully do.

In 1939–40, closed shop agreements were much more prevalent in the United States than in England or Sweden. But even then, only about 3 million organized employees in the United States were working under closed shop conditions—Lester, "Economics of Labor," page 619.

In January 1944, closed shop agreements covered almost 30 percent of all American workers under labor agreements, and union shop agreements almost 20 percent; or, together, a total of 6.5 million workers out of 52.6 persons comprising the whole U.S. labor force—in October 1943. See "Yearbook of American Labor," volume I, page 114.

In 1945, there were 29 million workers in the United States who were eligible for membership in the then existing unions. Less than 50 percent of these were covered by labor agreements. About 15 percent were under closed shop agreements and about 7 or 8 percent under union shop agreements.

Only as late as January 10, 1951, were closed and union shops permitted under the Railway Labor Act. Prior to that time, union shop and closed shop agreements had been prohibited by that statute. Thus, it can be said that all of our railroads and our air carriers were unionized without the aid of any form of compulsory unionization. See "Report to the President by the Emergency Board" appointed by Executive Order 10306 dated November 15, 1951, pursuant

to section 10 of the Railway Labor Act, as amended, passim.

In their formative days American unions lacked the leverage that came from any significant use of discharge of employees solely because of nonmembership in a labor organization. Rather generally and until very recently, unions lacked the help that would have come to them from any compulsion exercised upon workers to join or to contribute to the support of labor unions. In the main, they grew strong only by application of principles of free association.

LEGISLATIVE HISTORY

The first important statutory recognition of the right of employees under Federal law to organize and to bargain collectively through representatives of their own choosing came from the Railway Labor Act passed by Congress in 1926. As indicated above, this act specifically banned the closed and union shop.

Section 2, paragraph fourth, of the Railway Labor Act reads:

Employees shall have the right to organize and bargain collectively through representatives of their own choosing. The majority of any craft or class of employees shall have the right to determine who shall be the representative of the craft or class for the purposes of this act. No carrier, its officers or agents shall deny or in any way question the right of its employees to join, organize, or assist in organizing the labor organization of their choice, and it shall be unlawful for any carrier to interfere in any way with the organization of its employees.

In this language was set forth the basic legal principles of labor relations pertaining to railway, airline, and interstate motor carrier industrial relations.

In 1932, Congress passed the Federal Anti-Injunction Act, otherwise known as the Norris-La Guardia Act. This act somewhat sterilely recognized the right now protected by the right-to-work laws as appears from the following quotation:

In the interpretation of this act and in determining the jurisdiction and authority of the courts of the United States, as such jurisdiction and authority are herein defined and limited, the public policy of the United States is hereby declared as follows:

"Whereas under prevailing economic conditions, developed with the aid of governmental authority for owners of property to organize in the corporate and other forms of ownership association, the individual unorganized worker is commonly helpless to exercise actual liberty of contract and to protect his freedom of labor, and thereby to obtain acceptable terms and conditions of employment, wherefore, though he should be free to decline to associate with his fellow, it is necessary that he have full freedom of association, self-organization and designation of representatives of his own choosing."

It should be apparent from the foregoing quotation that this basic piece of labor legislation was built upon the assumption that American workers, as indeed all American citizens and all friendly aliens subject to the U.S. Constitution, enjoyed the right of free association—a right which underlies the whole American legal and moral theory and practice of unionism. Indeed, this right of free association is a natural-law right. It is not a gift of the Government or State. It is an endowment of that nature which men, as persons, receive from God. It is one of the unalienable rights under the Declaration of Independence. Up to this margin of our problem, and no further, the natural law lends the light of its basic principles. Beyond that are fallible applications or "determinations" as St. Thomas Aquinas called them—but not certain principles.

The national labor relations law of 1935, also frequently called the Wagner Act, was built around the following statutory principle:

Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment.

This central principle of free choice given to workers was accompanied by an antimony which approved compulsory unionism. Thus, at the heart of the Wagner Act, there was inserted a basic contradiction between free choice and compulsory unionism.

This contradiction persisted without mitigation until the Taft-Hartley Act modified section 7 of the old National Labor Relations Act. To the central principle just quoted there was added the clause that employees "shall also have the right to refrain from any and all such activities." The closed shop was abolished by the Taft-Hartley Act. But in other respects the old contradiction remains. Although our national labor relations law as amended recognizes the right of employees to engage in union activity and to refrain from such activity, it does not protect that right wherever management and labor within the jurisdiction of the National Labor Relations Board include a union shop provision in their labor contract. The Taft-Hartley Act outlawed the closed shop by section 8(a)(3) of the Labor-Management Relations Act of 1947. While the Federal labor relations law forbids an employer from interfering with the exercise by his employees of the right of free association and bans employer contributions to or support of any labor organization and prohibits discrimination because of union affiliation; nevertheless, under a union shop agreement, the employer may lawfully discriminate against an AFL–CIO member where the collective bargaining agent is a Teamster union and vice versa. If, by agreement between the employer and the union enjoying majority status, a worker is required to join a labor organization against his will, it would seem obvious that his right of free association is actually interfered with or limited. It is hard to imagine a more influential support of a particular union than that which is afforded by a union shop agreement. It is the whole point and purpose of a union shop agreement to require an employer, under the penalty of contract violation, to discriminate on the basis of union activity or affiliation.

Nevertheless, the Taft-Hartley Act, by one provision, did specifically enable States to supply protection for the right of free association which the Federal labor relations law merely recognizes but does not enforce. Section 14(b) of the National Labor Relations Act reads as follows:

Nothing in this act shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or territory in which such execution or application is prohibited by State or territorial law.

In other language, Congress left it up to the States to decide whether, as a matter of State policy under the American Constitution, union shops or closed shops were to be tolerated. Thus, Congress itself opened the door to right-to-work statutes as it had a clear right to do under the Constitution. Under section 14(b), nothing contained in the Federal law could contradict the right of the States not only to recognize free association but to protect and enforce it. Without violating the supremacy clause—article VI—of the U.S. Constitution, which prescribes that laws made pursuant to the Constitution shall be the supreme law of the land, States may guarantee to employees the right to decline to associate as well as to associate; and the States may implement that right effectively. In effect, therefore, Congress left it up to the States to correct in this respect the obvious inconsistency of the national labor relations law, as amended. Only when the correction applied by a right-to-work law is effective can it be said that employees are secured in their right freely to associate or freely to decline to associate. What Congress merely recognized as a right but did not enforce, the States are permitted to enforce.

This is not to say that all of the right-to-work laws came into existence after Congress had opened the door by enacting section 14(b) of the Federal Labor Relations Act. Some of the right-to-work laws antedated that act.

Florence Peterson in her "Survey of Labor Economics," copyrighted in 1947, criticized the right-to-work laws as follows:

Such blanket restrictions for workers engaged in interstate industries are contrary to the National Labor Relations Act and the Anti-Injunction Act as they read in 1946.

Opponents of such legislation also maintain that the restrictions are unconstitutional because they violate the guarantees of free speech and union property rights inherent in contracts with employees. Its proponents, while admitting that it nullifies certain provisions in existing Federal labor laws, hold that it conforms to the best traditions of our Constitution and Bill of Rights because it affords protection against union coercion and intimidation (pp. 635–636).

Of course, Miss Peterson could not at that time foresee that Congress itself, by the Taft-Hartley Act, would eliminate the very possibility of contradiction by expressly permitting State right-to-work laws. But she was in error even about the Wagner Act and congressional legislative intent under that act, as appears below.

WHY DID CONGRESS SPECIFICALLY AUTHORIZE THE STATE RIGHT-TO-WORK LAWS?

The best answer to this question is supplied by the House Conference Report

No. 510 on H.R. 3020 of the 80th Congress:

Under the House bill there was included a new section 13 of the National Labor Relations Act to assure that nothing in the act was to be construed as authorizing any closed shop, union shop, maintenance of membership, or other form of compulsory unionism agreement in any State where the execution of such agreement would be contrary to State law. Many States have enacted laws or adopted constitutional provisions to make all forms of compulsory unionism in those States illegal. It was never the intention of the National Labor Relations Act, as is disclosed by the legislative history of that act, to preempt the field in this regard so as to deprive the States of their powers to prevent compulsory unionism. Neither the so-called closed shop proviso in section 8(3) of the existing act nor the union shop and the maintenance of membership proviso in section 8(a)(3) of the conference agreement could be said to authorize arrangements of this sort in States where such arrangements were contrary to the State policy. To make certain that there should be no question about this, section 13 was included in the House bill. The conference agreement, in section 14(b), contains a provision having the same effect (p. 60).

As of the time when the House Committee Report No. 245 on H.R. 3020 was filed, at least 12 States—Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Louisiana, Minnesota, Nebraska, North Dakota, South Dakota, and Tennessee—had laws forbidding compulsory unionism—see that report, page 34.

For this reason the House bill not only abolished the closed shop but declared:

The subject of compulsory unionism, one that the States may regulate concurrently with the United States, notwithstanding that the agreements affect commerce and notwithstanding that the State laws limit compulsory unionism more drastically than does Federal law. The demand for legislation of this kind is widespread and pressing (p. 34).

The same House Report No. 245 contains a further explanation:

Since by the Labor Act, Congress preempts the field that the act covers insofar as commerce within the meaning of the act is concerned, and since when this report is written the courts have not finally ruled upon the effect upon employees of employers engaged in commerce of State laws dealing with compulsory unionism, the committee has provided expressly in section 13 that laws and constitutional provisions of any State that restrict the right of employers to require employees to become or remain members of labor organizations are valid, notwithstanding any provision of the National Labor Relations Act. In reporting the bill that became the National Labor Relations Act, the Senate committee to which the bill had been referred declared that the act would not invalidate any State law or constitutional provision. The new section 13 is consistent with this view (p. 44).

The Senate committee in its report—No. 105 on S. 1126—was even more specific as to the reasons which motivated the Senators in permitting State right-to-work laws even though they could be construed as inconsistent with the Federal National Labor Relations Act:

A controversial issue to which the committee has devoted the most mature deliberation has been the problem posed by compulsory union membership. It should be noted that when the railway workers were given the protection of the Railway Labor Act, Congress thought that the provisions which prevented discrimination against union membership and provided for the certification of bargaining representatives obviated the justification for closed shop or union shop arrangements. That statute specifically forbids any kind of compulsory unionism.

The argument has often been advanced that Congress is inconsistent in not applying this same principle to the National Labor Relations Act. Under that statute a proviso to section 8(3) permits voluntary agreements for compulsory union membership provided they are made with an unassisted labor organization representing a majority of the employees at the time the contract is made. When the committee of the Congress in 1935 reported the bill which became the present National Labor Relations Act, they made clear that the proviso in section 8(3) was not intended to override State laws regulating the closed shop. The Senate committee stated that "the bill does nothing to facilitate closed shop agreements or to make them legal in any State where they may be illegal" * * * Until the beginning of the war only a relatively small minority of employees (less than 20 percent) were affected by contracts containing any compulsory features. According to the Secretary of Labor, however, within the last 5 years over 75 percent now contain some form of compulsion. But with this trend, abuses of compulsory membership have become so numerous there has been great public feeling against such arrangements. This has been reflected by the fact that in 12 States such agreements have been made illegal either by legislative act or constitutional amendment, and in 14 other States proposals for abolishing such contracts are now pending. Although these regulatory measures have not received authoritative interpretation by the Supreme Court (see *A.F. of L.* v. *Watson*, 327 U.S. 582), it is obvious that they pose important questions of accommodating Federal and State legislation touching labor relations in industries affecting commerce (*Hill* v. *Florida*, 325 U.S. 538; see also *Bethlehem Steel Co.* v. *Labor Board*, decided by the Supreme Court April 7, 1947). In testifying before this committee, however, leaders of organized labor have stressed the fact that in the absence of such provisions many employees sharing the benefits of what unions are able to accomplish by collective bargaining will refuse to pay their share of the cost.

The committee has taken into consideration these arguments in reaching what it considers a solution of the problem which does justice to both points of view. We have felt that on the record before us the abuses of the system have become too serious and numerous to justify permitting present law to remain unchanged. It is clear that the closed shop which requires preexisting union membership as a condition of obtaining employment creates too great a barrier to free employment to be longer tolerated. In the maritime industry and to a large extent in the construction industry union hiring halls now provide the only method of securing employment. This not only permits unions holding such monopolies over jobs to exact excessive fees but it deprives management of any real choice of the men it hires. Extension of this principle to license deck and engine officers has created the greatest problems in connection with the safety of American vessels at sea (see testimony of Almore Roth * * * vol. 2, p. 612).

Numerous examples were presented to the committee of the way union leaders have used closed shop devices as a method of depriving employees of their jobs, and in some cases a means of securing a livelihood in their trade or calling, for purely capricious reasons. In one instance a labor union member was subpenaed to appear in court, having witnessed an assault on his foreman by a fellow employee. Because he told the truth upon the witness stand, the union leadership brought about his expulsion with the consequent loss of his job since his employer was subject to a closed shop contract.

Numerous examples of equally glaring disregard for the rights of minority members of unions are contained in the exhibits received in evidence by the committee (see testimony of Cecil B. de Mille). If trade unions were purely fraternal or social organizations, such instances would not be a matter of congressional concern, but since membership in such organizations in many trades or callings is essential to earning a living, Congress cannot ignore the existence of such power.

Under the amendments which the committee recommends, employers would still be permitted to enter into agreements requiring all the employees in a given bargaining unit to become members 30 days after being hired if a majority of such employees have shown their intent by secret ballot to confer authority to negotiate such an agreement upon their representatives (pp. 4–7).

Mr. President, many instances of oppression and trade union abuse stemming directly from the dictatorial imposition of the closed shop or union shop could be cited.

A glaring example is the manner in which most of the Teamsters unions in New York City coerce workers into their membership and impose their printed and nonbargainable contracts upon employers. There is no such thing as collective bargaining. In most cases there is no such thing as an organizational campaign. The organizational campaign begins with a picket line. It is followed by the use of goon squads. The way to get rid of this annoyance is to sign the printed contract as it is. Obviously, to be required to sign a printed contract, prepared by the union, without being given an opportunity to negotiate any of the terms, is hardly an instance of collective bargaining in good faith. All of these Teamsters contracts contain what amounts to closed shop, or at least union shop provisions.

An example of union dictatorship of this type comes to mind. John McNamara, secretary-treasurer of local No. 808 of the Teamsters in New York City, boasted that in the 15 years during which he held office he had never made use of the services of the National Mediation Board, the National Labor Relations Board, the Federal Mediation and Conciliation Service, or any State labor relations board; had never made use of the services of State mediation boards; and had never gone to arbitration. Employers found it cheaper to sign than to bear the loss of business which picketing effected. And they signed exactly what the union had printed as its current labor agreement.

Under such circumstances, the control which is given to a dictatorily inclined labor leader by a union shop or closed shop is practically unlimited.

In his short but scholarly work entitled "Fundamentals of Labor Economics," Prof. Freidrich Baerwale of Fordham University writes:

Under a closed shop agreement, the employer pledged himself to hire only workers who, prior to the date of being taken on, have been members in good standing of the

union which has concluded the contract. A closed shop clause was usually stated somewhat as follows: "Throughout the term of this contract, the employer agrees to hire only members of the union in good standing." Just what "good standing" meant was defined in the constitution and bylaws of the union in question and was usually forfeited by nonpayment of union dues. Thus, in places where the closed shop clause was rigidly enforced, workers had to be members of the union before they could obtain employment. In such cases, therefore, the first problem before a worker was not to find a job but was to get into the union. In this regard, the matter of initiation fees and residence requirements must be considered.

The levying of initiation fees is not in itself objectionable. Every organization, and particularly a union, must take the necessary measure to assure a constant flow of revenue to cover the expenses of its activities, and initiation fees can supply part of the needed funds. In times of chronic unemployment initiation fees were levied in many unions, not so much for obtaining revenue, as for discouraging new applications and keeping down the number of union members. The prohibitive amount of the initiation fee was interpreted as one way of keeping the supply of labor in balance with the demand. In many cases, however, the fee was used not merely to maintain such balance but to create an artificial scarcity of labor in specialized fields—a condition that was said to be in the interest of the union members who had invested in the union when they joined and were entitled to look forward to returns in the form of high wages brought about by the scarcity of labor.

Experience has shown that the closed shop has a tendency to develop into a closed union; that is, it can easily assume a monopolistic character limiting employment opportunities to insiders while denying them to nonmembers. The actual strength of the tendency varies with business conditions. When unemployment is high, admission policies are more restrictive than in periods of great demand for workers. Under such conditions there is the danger that the labor force will become rigidly divided into those who are employed and those who are unemployed and unable to find work because they have lost their good standing in the union through lapse of dues payment or because they were never able to afford the initiation fee. This tends to keep people jobless if their occupational background limits them to fields covered by closed-shop clauses.

In good times and especially in periods of full employment, the monopolistic character of the closed shop lessens; but this fact does not eliminate the fundamental issue of whether it is desirable to give a private organization—in this case the union—the right to determine who should and who should not be given an opportunity to work in a given field. The argument that such a practice is necessary so as to avoid overcrowding in certain occupations is not valid. That problem is not one to be solved by union procedures; it can be met only by an efficient guidance program, especially for young people, which should be linked to the operations of the public placement services.

Residence requirements have also been used as a restrictive device in union policies. "Foreigners" from other States, or even from cities of the same States, often had to undergo a waiting period before they were allowed to work at their occupations in a new city. In such cases, the union card issued by the union of the former residence was readily transferred and dues payments were received, but still the ban on accepting employment was enforced; the newly arrived members were not considered for placement until after the expiration of the waiting period. These restrictive devices were defended by pointing to overcrowding of occupations; but again, it must be stated that the flow of workers should not be interfered with by union rules. It is the duty of the employment services to publicize unfavorable conditions in the various labor markets and to discourage such migrations of labor which can only lead to new disappointments for those in search of employment opportunities. If the indirect regulation of the labor market is left to unions, they are placed in the position to exercise a power over individuals which is not inherent in the purposes of labor organizations.

* * * A sample study made by the National Industrial Conference Board in 1939 indicates that the closed shop can eliminate a certain amount of friction in industrial relations. It was pointed out that such an agreement "improves discipline" and "ends the frequent demands by the union for concessions for the sole purpose of holding membership."

These advantages, however, cannot outweigh the disadvantages implied in the closed shop type of union agreement. Through a closed shop clause the union assumes the position whereby it can determine the hiring of workers to a very large extent. If additional workers are needed in a closed shop, the employer must turn to the union which will "present" some of its members for his consideration. It is true that the employer is not bound by the closed shop provision to hire anybody just because he is a member of the union and has been presented. He retains his right to reject obviously incompetent or unsuitable workers. On the other hand, the requirement that he hire only union members limits his selection just as it narrows the opportunity of employment in closed shop fields for workers who are not members of the union and who fail to obtain admission to it.

The closed shop clause gave a maximum of security to the union but it had such far-reaching effects on the whole question of fair distribution of opportunities of employment that, in this writer's opinion, a reintroduction of such a pattern of union agreements would seriously impair the workers' liberty of choice and freedom of movement. The closed shop is typical of labor organizations in a totalitarian system; a wide acceptance of it in a democratic society would create grave inconsistencies. Besides, the legitimate ends of unionism can be served without recourse to such restrictive policies and clauses. * * * (pp. 394–397).

In the case of *Lauf* v. *E. G. Shinner & Co., Inc.*, 303 U.S. 323, the district court had found the following facts, according to the opinion of the Supreme Court of the United States: E. G. Shinner & Co., Inc. operated five meat markets in Milwaukee, Wis. It employed about 35 employees; none of them was a member of the union involved. That union demanded that the employer require its employees, as a condition of continued employment, to become members. The employer notified the 35 employees that they were free to do this; but they refused to join the union. I quote from the Supreme Court's decision:

For the purpose of coercing the respondent (employer) to require its employees to join the union and to accept it as their bargaining agent and representative, as a condition of continued employment, and for the purpose of injuring and destroying the business if the respondent refused to yield to such coercion, the petitioners (the Union) conspired to do the following things and did them: They caused false and misleading signs to be placed before the respondent's markets; caused persons who were not respondent's employees to parade and picket before the market; falsely accused respondent of being unfair to organized labor in its dealings with employees and, by molestation, annoyance, threats, and intimidation, prevented patrons and prospective patrons of respondent from patronizing its markets; respondent suffered and will suffer irreparable injury from the continuance of the practices, and customers will be intimidated and restrained from patronizing the stores as a consequence of petitioners' acts. * * *

Upon the foregoing facts, the district court issued an injunction enjoining the union from seeking to coerce the employer to discharge its employees for refusal to join the union or to coerce the employer to compel the employees to become members of the union. Without considering the merits of the dispute, the Supreme Court found that the controversy between the union and the employer in this case constituted a "labor dispute" within the meaning of the Norris-La Guardia Act. For that nominalistic reason alone, the Supreme Court of the United States found that the district court has committed error in issuing an injunction against the union. For all practical purposes, the Norris-La Guardia Act prevents courts from issuing injunctions in "labor disputes." Thus, everything depends upon the definition of the term "labor dispute." The Court merely satisfies itself that there exists a "labor dispute," without going into the merits of the so-called dispute, and, having found that a "labor dispute" exists, it concludes that no injunction ought to issue. The test is not justice but nomenclature.

In a dissenting opinion, Mr. Justice Butler wrote:

The decision just announced ignores the declared policy of Congress that the worker should be free to decline association with his fellows, and that he should have full freedom in that respect and in the designation of representatives, and especially that he should be free from the interference, restrains, or coercion of employers. To say that a "labor dispute" is created by the mere refusal of respondent to comply with the demand that it compel its employees to designate the union as their representative unmistakably subverts this policy and consequently puts a construction upon the words contrary to the manifest congressional intent * * *.

In this case, there was no interchange or consideration of conflicting views in respect of the settlement of a controversial problem. There was simply an overbearing demand by the union that respondents do an unlawful thing and a natural refusal on its part to comply. If a demand by a labor union that an employer compel its employees to submit to the will of the union, and the employer's refusal, constitute a labor controversy, the highwayman's demand for the money of his victim and the latter's refusal to stand and deliver constitute a financial controversy.

Clearly the union could not be authorized by statute to resort to coercive measures directly against the employees to compel submission to its wishes, for that would be to give one group of workmen autocratic power to control in respect of the liberties of another group, in contravention of the fifth amendment as well as of the policy of Congress expressly declared in this act. And that being true, the attempt to coerce submission through constrained interference of the employer was equally unlawful.

There can be no dispute without disputants, between whom was there a dispute

here? There was none between the union and respondent's employees; for the latter were considered by the union mere pawns to be moved according to the arbitrary will of the union. There was none between respondent and its employees; they were in full accord. And finally there was none between the union and respondent; for it would be utterly unreasonable to suppose Congress intended that the refusal of a conscientious employer to transgress the express policy of the law should constitute a "labor dispute" having the effect of bringing to nought not only the policy of the law, but the obligation of a court of equity to respect it and to restrain a continuing and destructive assault upon the property rights of the employer, as to which no adequate remedy at law existed * * *.

One could go on citing case after case similar to the instances already enumerated. All of them highlight reasons why State legislatures reasonably and with unimpeachable morality banned compulsory unionism and established right-to-work statutes.

Perhaps nowhere can a more succinct and accurate statement of union leader attitude in opposition to right-to-work laws be found than in the summary of the union briefs before the Supreme Court of the United States in two cases treated as one, *Lincoln Federal Labor Union* v. *Northwestern Iron & Metal Co., Whitaker et al.* v. *State of North Carolina* (335 U.S. 525). What was involved in those cases was the constitutionality of the North Carolina right-to-work statute and the Nebraska constitutional amendment providing that no person shall be deprived of an opportunity to obtain or retain employment because he is or is not a member of a labor organization. This case was decided in 1949 and it constitutes the leading precedent from the highest Court in the land sustaining the constitutionality of right-to-work laws. The following quotations and comments will not only elucidate the rejected union philosophy, but the saneness and justice which bulwarks the constitutional defense of right-to-work laws:

It is contended that these State laws abridge the freedom and speech and the opportunities of unions and their members "peacably to assemble and to petition the government for a redress of grievances."

It is difficult to see how enforcement of this State policy could infringe the freedom of speech of anyone, or deny to anyone the right to assemble or to petition for a redress of grievances. The appellants (the unions) do not contend that the laws expressly forbid the full exercise of those rights by unions or union members. Their contention is that these State laws indirectly infringe their constitutional rights of speech, assembly, and petition. While the basis of this contention is not entirely clear, it seems to rest on this line of reasoning: The right of unions and union members to demand that no nonunion members work along with union members is "indispensable to the right of self-organization and the association of workers into unions"; without a right of union members to refuse to work with nonunion members, there are "no means of eliminating the competition of the nonunion worker"; since, the reasoning continues, a "closed shop is indispensable to achievement of sufficient union membership to put unions and employers on full equality for collective bargaining, a closed shop is consequently an indispensable concomitant" of the "right of employees to assemble into and associate together through labor organizations * * *."

Justification for such an expensive construction of the right to speak, assemble, and petition is then vested in part on appellants' assertion "that the right of a nonunionist to work is in no way equivalent to or the parallel of the right to work as a union member; that there exists no constitutional right to work as a nonunionist on the one hand while the right to maintain employment free from discrimination because of union membership is constitutionally protected."

There we have it. The union argument and brief actually went to the length of contending that "the right of a nonunionist to work is in no way equivalent to or the parallel of the right to work as a union member." According to this strange argument, the Constitution sets up two classes of citizenship. The full constitutional prerogatives and immunities go to union members. Lesser rights and prerogatives—how much less is left to conjecture—accrue to nonunion members. A nonunionist simply does not have "a constitutional right to work". Only the unionist is constitutionally guaranteed against discrimination. This self-contradictory philosophy attaches to the Constitution a gross and intolerable discrimination in an effort to fight antiunion discrimination. It brazenly contends, without the slightest warrant from the Constitution, the Supreme Court cases or constitutional history, that it is sound constitutional law to read into the Constitution a discrimination against nontrade unionists in favor of trade unionists.

No more stupid or impertinent argument was ever presented to the Supreme Court of the United States. Trade unions in this way claim a preeminent position in the pluralism which characterizes the United States.

Every other private group depends for the purpose of soliciting its members upon a principle of freed and uncoerced association, its own appeal to reason, its basic constitution and by-laws and upon similar methods of persuasion. A parish, a church, a grange, a civic society, a social club, a benevolent order—all of these would spurn the idea that coercion for the purpose of forcing outsiders to join their grouping is "indispensable to the right of self-organization and the right of association" into their particular group. Pluralism is by its very nature competitive. But it would be a sad day for this country if the Knights of Columbus, for example, were persuaded to resort to coercive methods for forcing membership upon outsiders for no better reason than that competition between Knights and non-Knights is keen. Neither in reason nor in good politics nor in any defensible jurisprudence would it be proper to yield to any private group, whether union or nonunion, the type of preeminence actually claimed by labor unions before the Supreme Court of the United States. This bizarre primacy, which the unions seriously claimed in the Lincoln Federal Labor Union case, they continue to claim implicitly in most of their arguments again right-to-work laws. They claim special privilege which they would be the first to resent in other private, nongovernmental groups. After all, they did try to put their best foot forward when they conducted their appeals to the U.S. Supreme Court. They would have liked nothing better than to be able to strike down right-to-work laws as unconstitutional. Time and again they have sought to persuade courts to hold such laws as violative of basic law. The courts have rejected these union attempts at claiming special privilege. The Supreme Court has, in a well reasoned opinion, put to final rest a series of querulous constitutional objections.

WHAT THE SUPREME COURT HAS SAID IN DEFENSE OF RIGHT-TO-WORK LAWS

In the Lincoln Federal Labor Union case (supra), Mr. Justice Black wrote for a unanimous court:

Under employment practices in the United States, employers have sometimes limited work opportunities to members of unions, sometimes to nonunion members, and at other times have employed and kept their workers without regard to whether they were or were not members of a union. Employers are commanded to follow this latter employment practice in the States of North Carolina and Nebraska. A North Carolina statute and a Nebraska constitutional amendment provide that no person in those States shall be denied an opportunity to obtain or retain employment because he is or is not a member of a labor organization. To enforce this policy North Carolina and Nebraska employers are also forbidden to enter into contracts or agreements obligating themselves to exclude persons from employment because they are or are not labor union members * * *.

Here is a simple and lucid statement of the issue as it was presented to the Supreme Court of the United States. Having thus formulated the question before it, the Court went on to state and often quote the basic union contentions to the effect that the Nebraska and North Carolina right-to-work statutes were constitutionally invalid. Then the Court wrote:

We deem it unnecessary to elaborate the numerous reasons for our rejection of this contention of * * * (the unions). Nor need we appraise or analyze with particularity the rather startling ideas suggested to support some of the premises on which Appellants' (the unions') conclusions rest. There cannot be wrung from a constitutional right of workers to assemble to discuss improvement of their own working standards, a further constitutional right to drive from remunerative employment all other persons who will not or cannot participate in union assemblies. * * *

In the Oregon School case—*Pierce* v. *Society of Sisters* (268 U.S. 510), the Supreme Court of the United States refused to drive private or parochial schools from the American scene simply because a group of State legislators dislike the competition between public and private schools. But in the Oregon School case, it was not a private group which had decreed the extinction of parochial schools. It was a State legislature. But the Supreme Court vetoed the decree. In the Lincoln Federal Labor Union case, private groups—unions—were actually presenting the startling idea that they could drive from remunerative employment all other persons whom they regarded as competitors. It scarcely requires more than a rudimentary grip on sound political theory or on presentable moralizing to justify the conclusion that, even if the U.S. Constitution permitted private groups to drive from remunerative employment all other persons who will not or cannot participate in them, it would be intolerable and immoral to do so.

The great French philosopher, Jacques Maritain, has written:

The lesson of * * * experience seems obvious: nothing is more vain than to seek to unite men by a philosophic minimum. However small, however modest, however tentative this may be, it will perpetually give rise to contests and divisions. And this quest of a common denominator in contrasting convictions can develop nothing but intellectual cowardice and mediocrity, a weakening of minds, and a betrayal of the rights of truth.

Hence we must renounce the search for a common profession of faith, whether it be the medieval one of the Apostles' creed, or the natural religion of lightness, or the positive philosophy of Auguste Comte, or that minimum of Kantian morality invoked in France by the first theorists of laicism; we must give up seeking in a common profession of faith the source and principle of unity in the social body. ("True Humanism," pp. 167–168.)

Now, if we cannot by appeal to reason effectuate unity of philosophy or faith, we will be even less successful, by any coercive methods, to unify men in societies like unions. Moreover, if on such important matters as a basic public philosophy or a faith which is necessary for eternal salvation, men cannot be forced into unity by intimidation and threats, it is hardly likely that in the less important, temporal matters with which trade unions and their objectives are concerned, a sound or facile unification will result from compulsory unionism. Unionism is not an end in itself. It is a means to an end. Every means is, per se, subordinated to its end. The ends of trade unionism are morally and metaphysically subordinate to the larger ends of man himself. The union, like the state, is to serve the person. Reverse this formula and you have tyranny.

Now one of the ends of the human person is liberty and free association which exemplifies sound liberty.

All exterior regulation is vain if its aim is not to develop the sense of a person's own creative responsibility, and his sense of communion. To feel responsible for one's brothers does not diminish our freedom but weights it with a deeper responsibility. (Maritain, ibid., p. 176.)

For man has two ultimate ends, and one is obviously subalternated to the other. Man has an absolute ultimate end which is the transcendent eternal common good, namely, God Himself. And man has a terrestrial common good which is also ultimate in its particular order. For neither of these two ends is trade unionism an indispensable means. Neither the Gospels nor the Epistles mentioned unions in a day when workers were enslaved and oppressed. Unions are indeed a useful means in the terrestrial order of our time. They may be "morally necessary" in many situations today. But there have been and are instances of just and fair treatment of employees by employers without the intervention of unions. Unions do not have a monopoly of justice, good will, or social charity.

It may also be true that unions have necessary ends. But we should never forget what St. Thomas Aquinas wrote in his discussion of truth in the 13th century:

No matter how necessary the end is, unless the means has a necessary relationship to the end so that without it the end cannot exist, there will be no necessity arising from the end in the means; just as, even though the principles may be true, if the conclusion is false because of the lack of a necessary relationship, no necessity on the part of the conclusion follows from the necessity of the principles. ("Truth," question XXIII, art. 4, id. 11.)

Even if the closed shop were "indispensable to the right of self-organization and the association of workers into unions" (and it certainly is not indispensable in this sense as a matter of history or theory), the moral, legal, or political invalidity of the right-to-work laws would not thereby have been demonstrated. The unions themselves and their best objectives are not indispensable. The world had existed for many centuries before unionism came on the scene. The Bible never mentioned trade unionism. If unions were indispensable for terrestrial or spiritual salvation, they certainly would have been presaged or indicated. If trade unions themselves and their finest ends are not indispensable, history proves, with even less hesitation, that the closed shop, the union shop and other forms of compulsory unionism are not indispensable means to trade unionism. Trade unionism developed and grew strong without compulsory unionism. The great unions of France, Germany, Sweden, Italy, and England developed and grew strong without the help of compulsory unionism. Indeed, compulsory unionism came upon the European labor scene comparatively recently. Up to World War II, less than 20 percent of the unionized employees were covered by union security clauses exemplifying compulsory unionism.

Let me continue my discussion of the Lincoln Federal Labor Union case:

The constitutional right of workers to assemble, to discuss and formulate plans for furthering their own self-interest in jobs cannot be construed as a constitutional guarantee that none shall agree to abide by the assembly's plans. For where conduct affects the interests of other individuals and the general public, the legality of that conduct must be measured by whether the conduct conforms to valid law, even though the conduct is engaged in pursuant to plans of an assembly.

After all, the very union workers who insist that others join their union under the duress of some form of closed shop or union shop themselves exemplify free choice in what they want to do. Presumably they have without compulsion joined the particular union they like. Now they deny a similar right to others. They say to others, in effect: "Either join my union or lose your job." Thus there is established a dual standard of privilege and freedom. It is bad enough to say: "I will not work with you because you are a Catholic or a Protestant, or a Jew." Such intolerance is rather universally condemned today. Indeed, it is actually forbidden by law in many cases. Yet in many States it is still permissible to say: "I will not work with you because you do not belong to my union. Therefore you cannot work here." Mind you, the person thus addressed might belong to a different union which he likes better. But by compulsory unionism we encourage and proliferate the very type of intolerance and provincialism which are, in all other cases, universally condemned.

The Supreme Court of the United States was not misled by the spurious arguments against the right-to-work laws. The right-to-work laws do not deny to workers the right to assemble or to discuss and to formulate plans for furthering their own self-interest in jobs. What is involved is the right of free assemby and the right of free discussion and formulation. To permit regimentation in these matters is to fertilize the seed-bed of totalitarianism and one-party systems.

In any case, the right-to-work laws, far from conflicting with the first amendment, recognize and protect rather obvious corollaries of the first amendment. The Constitution in this respect applies to all of us and not just to trade union members. All of us are free to join private groups; not just union members. Free association does not apply only to those who voluntarily join unions. It does not suddenly fail for those who join a lawful union which is not popular with the majority of a particular plant.

Yet, by compulsory unionism, the unions have tried to set up a "constitutional guarantee that none shall get and hold jobs except those who will join" unions or concertedly advance their plans. In effect, this puts trade unions in the position of State legislatures to decide whether work shall be available to particular persons. Only very rarely in the history of this country have State legislatures denied access to employment or have they regulated access to employment narrowly. Yet the advocates of compulsory unionism would permit trade unions, as private groups, to do what State legislatures have rarely done; and then only under the most drastic provocation. For example, the Waterfront Commission Compact of New York and New Jersey bans certain types of employment and strictly regulates other types. There is a serious question as to whether such regulation is wise or even constitutional—despite the Linehan case. It seems like a roundabout way to try to correct trade union graft and corruption and nefarious employer bribing by limiting access to waterfront employment. The politicians who engineered this type of law and fallen down for years on the job of enforcing obvious and long-neglected criminal statutes. Then, they created a vast bureaucracy—and saddled upon the steamship companies the expense of financing it—to cope with a problem they had not the courage to settle for years before.

In any case, the legality of union conduct, just as individual conduct, must be measured by whether that conduct conforms with valid law. The Supreme Court of the United States has held that right-to-work laws are valid. No convincing argument from partisan moralists or clerygmen unversed in constitutional law has been able to demonstrate

that such laws are constitutionally invalid.

It is contended that the North Carolina and Nebraska laws deny unions and their members equal protection of the laws and thus offend the equal protection clause of the 14th amendment. Because the outlawed contracts are a useful incentive to the growth of union membership, it is said that these laws weaken the bargaining power of unions and correspondingly strengthen the power of employers. This may be true. But there are other matters to be considered. The State laws also make it impossible for an employer to make contracts with company unions which obligate the employer to refuse jobs to union members. In this respect the State laws protect the employment opportunities of members of independent unions. * * * This circumstance alone, without regard to others that need not be mentioned, is sufficient to support the State laws against the charge that they deny equal protection to unions as against employer and nonunions.

It seems ironic that in attacking the right-to-work laws and in defending compulsory unionism the labor union attorneys should invoke the equal protection clause of the 14th amendment. Their whole case was a case for unequal protection. They wanted to make sure that only unionists of their persuasion were protected in the plants of this country. They actually and furiously argued that alongside of trade unionists nonunion members had fewer constitutional protections. It is hard to imagine a more shoddy argument.

It is contended that these State laws deprive appellants of their liberty without due process of law in violation of the 14th amendment. Appellants argue that the laws are specifically designed to deprive all persons within the two States of "liberty" * * * to refuse to hire or retain any person in employment because he is or is not a union member * * *.

There was a period in which labor union members who wanted to get and hold jobs were the victims of widespread employer discrimination practices. Contracts between employers and their employees were used by employers to accomplish this antiunion employment discrimination. Before hiring workers, employers required them to sign agreements stating that the workers were not and would not become labor union members. Such antiunion practices were so obnoxious to workers that they gave these required agreements the name of "yellow dog contracts." This hostility of workers also prompted passage of State and Federal laws to ban employer discrimination against union members and to outlaw yellow dog contracts.

In this respect, the unions have come full circle. They opposed yellow dog contracts on the ground that such contracts interfered with freedom of choice there can be no doubt that, on the average, yellow dog contracts did do just that. For that reason I think they constituted an average evil and were, therefore, properly banned by State statute. But why were they properly banned? Because they constituted practical and average violations of the basic principle of free association. This principle traces to one of the objectives of the human person, one of his actual personal ends as a being created by God and endowed with free will. This principle is one of the secondary principles of the natural law. Only in the light of this principle were yellow dog contracts, on an average, evil.

This is not to say that every yellow dog contract, any more than the closed shop, was per se a violation of the natural law. It was not. There were undoubtedly instances where all of the employees who signed yellow dog contracts signed them voluntarily because they were themselves quite unwilling to join a labor union. They were exercising their own free choice. Maybe they were not always exercising their free choice wisely. But if they exercised their free choice according to their rights and in pursuance of the dictates of their consciences, they did all that could be expected of them in the circumstances. Certainly it would be a bad theory of jurisprudence to suppose that every error or every exercise of bad judgment should be banned by law or by compulsive tactics. St. Thomas properly condemned the idea that it is the function of law to repress all vices.

I do not think it is possible to argue that the closed shop or the union shop is per se evil as a violation of the right of free association or of the natural law. It is conceivable and indeed likely that in some instances all of the workers in a given plant covered by a closed shop or union shop agreement are thoroughly in favor of the particular union and want no other. This, however, does not mean that Congress or State legislatures could not regard the closed shop or the union shop or any other form of compulsory unionism as average evils and as to close to abuses in all of the complex and myriad circumstances of the labor scene today.

Nor does it mean that when a legislature bans compulsory unionism it must do so only on the basis of a thorough refutation of every single argument against such a ban. No laws are passed on that basis. In many cases, such a thorough refutation is impossible. That is the precise meaning, function, and role of legislative authority. Legislative authority is rarely necessary for the purpose of persuading people that murder, for example, is wrong. Among right-minded people, that is to say excluding fools and rogues, one does not have to present the arguments against murder. We take them as self-evident.

All laws are means to ends. They are not ends in themselves. Human beings are by nature fallible in the selection of means, as St. Thomas Aquinas frequently stated in his tractate on prudence in the "Summa Theologica." No legislature pretends that it is infallible in prescribing its particular statute as a means to attain a particular end as to which all are virtually in agreement. No legislation would be sound if it were not dedicated to the establishment of some good end. Usually, our differences concern means, not ends. In a pluralist society like ours, we often need group action. We cannot hope to achieve unanimity in political action. For that very reason we need and inevitably have pluralism. We need the diversities that are created by arguments and counterarguments. Finally, we must make a decision based not on unanimity nor on the veto principle—such as we have in the United Nations—but on a free choice by persons who have a basically common public philosophy.

As Yves Simon states in his "Philosophy of Democratic Government":

Even in the smallest and most closely united community, unity of action cannot be taken for granted; it has to be caused, and, if it is to be steady, it has to be assured by a steady cause * * *

Now unity of action depends upon unity of judgment, and unity of judgment can be procured either by way of unanimity or by way of authority; no third possibility is conceivable. Either we all think that we should act in a certain way, or it is understood among us, no matter how diverse our preferences, we shall all assent to one judgment and follow the line of action that it prescribes. Whether this judgment is uttered by a leading person or by the majority or by a majority within a leading minority makes, at this point, little difference. But to submit myself to a judgment which does not, or at least may not, express my view of what should be done is to obey authority.

Now it should be clear that, in this sense, private organizations, like unions, do not have authority for those who are not its members and who freely decide against joining them. It should also be clear that no one in his right mind should expect all persons to agree with labor unions or their leadership. Indeed, labor unions and labor leaders cannot be depended on to agree with one another. One leadership of the same union often differs from the next leadership.

This is not a case of science, where lack of unanimity on well-established scientific principles or applications is, in effect, a scandal and a sign of incompetence. No one occupying the chair of nuclear physics in one of our major universities would be tolerated if he insisted that uranium 235 does not exist or that it has properties of beryllium. Such are not matters about which difference of opinion can be tolerated.

But union affiliation is precisely a matter about which difference of opinion ought to be tolerated in the name of personal and political freedom. Indeed, there have been some unions so Communist dominated that affiliated with them could properly be regarded as a violation of conscience. There have been others so dominated by racketeers and gangsters that affiliation with them is a rather obvious dishonor.

The nature and role of authority in this connection is so important that it deserves further development. I say this because, behind the assumptions which labor union lawyers and others have marshaled against the right-to-work laws, there is the unsound postulate that private groups like unions should have authority to decide who shall work in a given plant and who shall not. Let me quote again some pertinent and thought-provoking passages from Simon's work "The Philosophy of Democratic Government":

Consider a group of persons confronted with the duty of united action for the common good. We assume that they are all virtuous; by their virtues they are properly related to the common good as end. We assume also that they are all enlightened and that no

ignorance or allusion interferes with their ability to determine the proper means. Unanimity cannot be brought about (even in such idealistically postulated circumstances) by demonstration, for the proposition that such a course of action ought to be followed is not demonstrable (in the strictly necessary logical sense). Attempts at its rational establishment, no matter how sound and helpful, will fall short of necessitating the assent of the minds. Let an example be that of a nation threatened in its freedom and existence by an ambitious competitor. A time comes when survival demands war-readiness, and a time comes when fighting alone can preserve the common good. Yet it is never possible to demonstrate that whoever loves the common good must support a policy of war and that whoever opposes such a policy is wrong. Who knows? Decisive factors often are extremely unobvious. * * * The dialog goes on, though the situation imperatively demands that all should contribute full measure of devotion, with all their minds and hearts, to a uniquely determined policy. The question is whether such a disagreement can take place among citizens that are both good and enlightened.

One thing is plain: If unanimity can be achieved in nonfortuitous fashion, it is not by way of necessitating argumentation and rational communication. But the analysis of practical judgment, which rules out rational communication as a steady cause of unanimity in these matters, shows also that a steady cause of unanimity is found in the inclination of the appetite, whenever the means to the common good is uniquely determined. If, and only if, there is only one means to the common good is the proposition enunciating this means the only one that admits of practical truth. It is the only one that conforms to the requirements of a properly disposed appetite, and a properly disposed appetite cannot make any other proposition win assent. The community of the end and the unique determination of the means brings about a situation distinguished by happy simplicity (pp. 26–27).

Now obviously we do not have, with respect to the practical question of particular labor union affiliation, a question of such happy simplicity. The foregoing quotation reminds one of the earlier quotation from St. Thomas Aquinas' "Truth"—"De Veritate." It should be obvious without much reflection upon the real situation—as distinguished from reflection upon abstractions—that trade unions are not the one and only means to the common good. It should be even more apparent that, however necessary one regards trade unions, compulsory unionism is not the one and only means, the indispensable means, for the encouragement and growth of trade unions.

When the means to the common good is uniquely determined, effective community supplies an essential foundation for unanimous consent; unanimity is, then, the only normal situation and, if anything is normal, authority is needed to bring about unified action. Unity of action requires authority insofar as not everything is normal, insofar as wills are weak or perverse and intellects are ignorant or blinded. The function of authority remains substitutional.

But when, on the other hand, there is more than one means of procuring the common good, there is no foundation whatsoever for unanimity. Anyone may disagree without there being anything wrong either with his intentions or with his judgment * * * (in such cases) * * * the common good demands that a problem of united action which cannot be solved by way of unanimity should be solved by way of authority (Simon, pp. 29–30).

There are many ways to terrestrial happiness and satisfaction, to industrial peace and good labor relations. Trade unionism is only one of those ways. Even though it is a major way, it is not even an always sure way. In other words, there is more than one means for approaching the ever elusive common good in this connection. Therefore, people have a natural right to decide freely to join or not to join unions. There may be a body of positive principles and ends which no good citizen, no man of good will, can deny or ignore. Unions are not such. Unions, I repeat, are means.

Thus, under any rational view, the liberty which is protected by the 14th amendment inspirits the right-to-work law. If a man does not have the liberty to decide what private organization he shall join; if he can be deprived of that liberty by the compulsive tactics of trade unions alone or of trade unions and employers in combination; his freedom of conscience is in jeopardy. For if States or private groups can force affiliation with a trade union, they can force affiliation with any other type of organization. In this context, it is laughable to refer to a liberty to refuse to hire or retain any person in employment because he is or is not a union member.

In any case, the liberty of contract principle to which the unions referred in the Lincoln Federal Labor Union case had been rejected time and again by the Supreme Court of the United States before it was resorted to by the unions in that case. Had it not been used by employers to strike down laws fixing minimum wages, maximum hours of employment, as well as laws fixing prices and regulating business activities?

In construing due process—

The Supreme Court has—

returned closer and closer to the earlier constitutional principle that States have power to legislate against what are bound to be injurious practices in their internal commercial and business affairs, so long as their laws do not run afoul of some specific Federal constitutional provision, or of some valid Federal law. * * * Under this constitutional doctrine the due process clause is no longer to be so broadly construed that the Congress and State legislatures are put in a straitjacket when they attempt to suppress business and industrial conditions which they regard as offensive to the public welfare.

Appellants (the trade unions attacking the right-to-work laws) now ask us to return, at least in part, to the due process philosophy that has been deliberately discarded. Claiming that the Federal Constitution itself affords protection for union members against discrimination, they nevertheless assert that the same Constitution forbids the State from providing the same protection for nonunion members. Just as we have held that the due process clause erects no obstacle to block legislative protection of union members, we now hold that legislative protection can be afforded nonunion workers.

In this way, the Court demonstrated that, far from violating the equal protection of laws clause, the right-to-work laws recognize and assure the 14th amendment rights of nonunion and union workers. That discrimination against union members is wrong is well established by statute and judicial decisions. It is also settled by sound morals. By analogy, it is hard to conceive of reasons why discrimination against nonunion workers should deserve better judgment.

It also deserves emphasis that the right-to-work laws do not prevent an intolerant trade unionist from leaving his job simply because nonunion workers are employed in the plant. However narrow and prejudiced such conduct may be, it is not forbidden by any law. It is, nonetheless, a flagrant example of the kind of intolerance that conflicts with civic amity or that charity which is due not to friends only but even enemies. If it is encouraged, no reason remains to condemn religious, racial, or national intolerance. We cannot avoid this latter type of intolerance by fostering the former type.

In his concurring opinion in the Lincoln Federal Labor Union case, Mr. Justice Rutledge, while agreeing that the right-to-work laws are constitutional, introduced the following caution:

Strikes have been called throughout union history in defense of the right of union members not to work with nonunion men. If today's decision should be construed to permit a State to foreclose that right by making illegal the concerted refusal of union members to work with nonunion workers, and more especially if the decision should be taken as going so far as to permit a State to enjoin such a strike, I should want a complete and thorough reargument of these cases before deciding so momentous a question.

In 1953, Mr. Justice Rutledge was partly accommodated in what he wanted. The reargument of the right-to-work laws in a slightly different context occurred in a case called *Local No. 10, United Association of Journeymen, Plumbers and Steamfitters* v. *Graham* (345 U.S. 192). The basic question in that case was "whether the Commonwealth of Virginia, consistently with the Constitution of the United States, may enjoin peaceful picketing when it is carried on for purposes in conflict with the Virginia right-to-work statute." There was also the subsidiary question whether the record in that case justified the finding made below that the picketing was actually for such purposes. The Supreme Court of the United States answered both of these questions in the affirmative.

Here are the facts in the case as they were given in the Supreme Court decision:

It is understood that the picketing lasted from 8 a.m., September 25, until stopped by injunction the following noon. The picketing was peaceful in appearance. There was usually but one picket and there never were more than two pickets on duty at a time. There was no violence and no use of abusive language. Each picket walked up and down the sidewalk adjoining the project carrying a sign bearing substantially the language * * * "This is not a union job. Richmond Trades Council" * * *. The premises picketed were frequented by few except the construction workers. The project was in its earliest stages. Before the picketing began, there were not more than 14 men at work. Of these, three union carpenters

worked about 1 hour on September 25. They left the project when the picketing began and returned a few days after the picketing stopped. Two union ironworkers or rodmen gave notice that picketing was to begin Monday, September 25, and that, therefore, they would not come to work. They never returned and the contractor was delayed several days while seeking to replace them. * * * The effect of the picketing was confirmatory of its purpose as found by the trial court. Petitioners here (the unions), engaged in more than the mere publication of the fact that the job was not 100-percent union. Their picketing was done at such a place and in such a manner that, coupled with established union policies and traditions, it caused the union men to stop work and thus slow the project to a general standstill.

* * * * *

The policy of Virginia which is expressed in its right-to-work statute is summarized as follows by its highest court: "It provides in substance that neither membership nor nonmembership in a labor union shall be made a condition of employment; that a contract limiting employment to union members is against public policy; and that a person denied employment because he is either a member of a union or not a member of a union shall have the right of action for damages." *Finney* v. *Hawkins*, 189 Va. 878, 880, 54 S.E. 2d 872, 874.

Based upon the findings of the trial court, we have a case in which picketing was undertaken and carried on with at least one of its substantial purposes in conflict with the declared policy of Virginia.

Upon the basis of the foregoing facts, the unions contended that the injunction which was issued against the picketing was inconsistent with the 14th amendment of the U.S. Constitution because it amounted to a restriction on free speech—a deprivation of liberty without due process of law. The union argument was that the denial of the use of picket lines was the equivalent of a restriction of free speech. It is obvious to the merest neophyte, however, that picketing is not simply and purely free speech.

Numerous cases by the Supreme Court of the United States have stated this. For that reason the Court curtly dismissed the contentions of the union with the following statement:

On the reasoning and authority of our recent decisions, we reaffirm our position to the contrary.

Then followed a long list of citations of those decisions. The Court sustained the Virginia injunction against a union which sought to use peaceful picketing in contravention of the Virginia right-to-work laws.

Mr. Justice Black dissented upon the basis of the tenuous contention:

Picketing is a form of free speech—the workingman's method of giving publicity to the facts of industrial life. As such it is entitled to constitutional protection.

He cited a case decided in 1940 which, in effect, held this. That case has since been qualified again and again. Mr. Justice Black expressed difficulty in understanding the line of distinction between permissible and unlawful picketing. How a picket line which has for its objective to coerce an employer to do what a valid State law prohibits can be regarded as having a lawful purpose is quite beyond comprehension. What the Graham case decided within the area of Federal jurisdiction has been ruled by courts in a number of States. For example, in Michigan, picketing was threatened by a carpenters' union for the purpose of forcing an employer to discharge a nonunion carpenter. Under State law, the purpose of this picketing was unlawful. The discharged nonunion carpenter was held to be entitled to recover damages from the union in an action for malicious interference with his rights under an employment contract.

In New Jersey, a court held that it had jurisdiction of an action by an employee to recover damages from a union and employer because the union had forced the employer to discharge the employee for no better reason than that the employee refused to contribute a gift for a union officer.

Mr. President, occurrences of this nature are altogether too frequent at the present time. However, it is not out of reason to presume that the frequency with which they occur will accelerate many times over should section 14(b) of the Taft-Hartley Act be repealed as is here proposed.

I consider the matter now being debated one of the most important matters that has come before the Senate during the 11-years I have been a Member. The very question of freedom of the individual is concerned. Are we going to force a man, against his will, to join a labor union, or any organization, to hold a job?

If so, we will deny that citizen his freedom as guaranteed and preserved to him by the Constitution. Is this Congress going to deny to the legislatures of the respective States the right to pass or not to pass right to work laws? If the proposed legislation is enacted, 14(b) goes out the window, and a State will not be allowed to prevent compulsory unionism even if it wishes to do so.

It is my firm and conclusive judgment that the people of Louisiana, Wyoming, Montana, Ohio, New York, South Carolina, or any other State in this Nation are better acquainted with what they wish to do and what is desirable for their own people than is the Congress, sitting hundreds of miles away.

I feel that it is taking away a right of the States. It is another chipping away and a usurpation of the prerogatives reserved to the States under the Constitution.

It is my sincere hope that Congress will not repeal section 14(b) of the Taft-Hartley Act. It is also my sincere hope that Congress will preserve and retain and continue on the statute books of the Nation section 14(b) which permits a State to have a right to work law if such a State wishes to do so.

RECESS UNTIL 11 A.M. TOMORROW

Mr. LONG of Louisiana. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate stand in recess until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 11 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Thursday, October 7, 1965, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate October 6 (legislative day of October 1), 1965:

COMMISSIONER ON AGING

William D. Bachill, of California, to be Commissioner on Aging. (New position.)

U.S. CUSTOMS COURT

James L. Watson, of New York, to be judge of the U.S. Customs Court.

Frederick Landis, of Indiana, to be judge of the U.S. Customs Court.

IN THE NAVY

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. Thomas F. Connolly, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

HOUSE OF REPRESENTATIVES

WEDNESDAY, OCTOBER 6, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture before his prayer: I John 5: 4: *This is the victory that overcometh the world, even our faith.*

O Thou God of all grace, inspire us with indomitable courage and invincible faith in the ultimate victory of moral and spiritual forces as we face arduous tasks and heavy responsibilities.

Show us how we may conquer our moods of discouragement and depression and cultivate a stronger and more dynamic confidence in Thy divine wisdom and power.

Grant that we may never become the victims of cynical attitudes or feel that these present-day situations and conditions are so hopelessly wrong that all efforts to change and put them right are useless and will end in failure.

May our President, our Speaker, and the Members of Congress give clear and convincing witness that they have a lofty vision, a fine insight, and a great hope, that a better world is emerging for we have not been created for failure but for victory.

Bless our President. Give him Thy needed grace. Share with the doctors and nurses Thy wisdom, enabling them to know what to do. We give Thee all the praise and the glory. Amen.

THE JOURNAL

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Jones, one of his secretaries.

MESSAGE FROM THE SENATE

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

H.R. 5571. An act to amend title 37, United States Code, to authorize payment of incentive pay for submarine duty to personnel qualified in submarines attached to staffs of submarine operational commanders.

The message also announced that the Senate agrees to the amendments of the House to a bill and a joint resolution of the Senate of the following titles:

S. 1689. An act to amend paragraph (a) of the act of March 4, 1913, as amended by the act of January 31, 1931 (16 U.S.C. 502); and

S.J. Res. 69. Joint resolution to authorize the Administrator of General Services to construct the third Library of Congress building in square 732 in the District of Columbia, to be named the "Library of Congress James Madison Memorial Building" and to contain a Madison Memorial Hall, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9042) entitled "An act to provide for the implementation of the agreement concerning automotive products between the Government of the United States of America and the Government of Canada, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10871) entitled "An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes."

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate this afternoon.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERSONAL ANNOUNCEMENT

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

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

There was no objection.

Mr. DOW. Mr. Speaker, I want to enter into the body of the RECORD a statement regarding rollcall No. 343, which occurred on September 30 last. I was not present for the call but had I been present, I would have voted "yea" in favor of a Federal pay raise.

LABOR, SERVICE CONTRACT ACT OF 1965

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 10238) to provide labor standards for certain persons employed by Federal contractors to furnish services to Federal agencies, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 8, line 14, after "Island," insert "Eniwetok Atoll, Kwajalein Atoll, Johnston Island,".

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

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from Michigan whether this is the bill about which he spoke to me a few moments ago.

Mr. O'HARA of Michigan. I would advise the gentleman that it is.

Mr. GERALD R. FORD. And it is the bill that I have checked out with the gentleman from Ohio [Mr. AYRES] as to the amendment that was included in the other body?

Mr. O'HARA of Michigan. I advise the gentleman that it is. It is a bill which had unanimous support of the committee at the time it was reported by our committee. It passed the House under suspension of the rules. The amendment has the agreement of the minority side of the committee.

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

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. It is not possible to comprehend, on hearing the amendment read, whether it is germane to the bill. Is the amendment germane to the bill?

Mr. O'HARA of Michigan. I advise the gentleman that it is. It includes those three islands in the coverage, along with American Samoa, Guam, and Wake.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

SECOND ANNUAL REPORT ON SPECIAL INTERNATIONAL EXHIBITIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

I am transmitting the Second Annual Report on Special International Exhibitions, for the fiscal year 1964, pursuant to section 108(b) of Public Law 87-256, the Mutual Educational and Cultural Exchange Act of 1961.

This program is designed to reveal to peoples abroad the true nature and broad extent of our economic, social, and cultural attainments. These exhibitions are also designed to advance mutually profitable trade relationships.

This American know-how is presented to show how it harmonizes with the host country's own aspirations and capabilities. This is done by presenting major U.S. exhibitions at selected international fairs and expositions, or as special events, in support of American foreign policy objectives.

This program concentrates mainly in Eastern Europe and the developing countries. Hundreds of American business and industrial firms, private institutions, and individuals cooperated with Government agencies and contributed materials, time, and talent to help insure the success of these exhibitions.

For people who yearn to learn more about us, the American pavilion is like a large picture window through which they can look and see for themselves. The steady stream of young and old, from all walks of life, flocking to our exhibitions to improve their knowledge of what America is and means is a sight not easily forgotten.

These exhibitions are a vital adjunct to our country's unceasing pursuit of peace, freedom, and human dignity for men everywhere. I am gratified by the support the Congress has given this program since it began a decade ago.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 6, 1965.*

ANNUAL REPORT ON THE INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM FOR THE FISCAL YEAR 1964—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

Pursuant to the provisions of the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256), I am transmitting the annual report on the International Educational and Cultural Exchange Program for the fiscal year 1964.

This report suggests something of the experience of life in other lands which students, teachers, professors, lecturers, research scholars, performing artists, athletes and coaches, foreign leaders, writers, judges, doctors—indeed the whole company of the adventurous, the skilled, the searching—have shared with their counterparts abroad, since the exchange programs began two decades ago.

In those 20 years they have become an established part of our commitment to

international understanding. That commitment is expressed through congressional action, through the voluntary efforts of thousands of individual citizens, through our universities and colleges, and through national and local community organizations all across the country.

I commend the report to the thoughtful scrutiny of the Congress.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 6, 1965.*

CALL OF THE HOUSE

Mr. HALL. 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. 352]

Abbitt	Flynt	Moeller
Anderson, Ill.	Frelinghuysen	Moore
Andrews, George W.	Friedel	Multer
Arends	Fulton, Pa.	Murray
Ashbrook	Fulton, Tenn.	Nix
Ashley	Gilbert	O'Hara, Ill.
Aspinall	Gilligan	O'Hara, Mich.
Bates	Goodell	O'Neill, Mass.
Bolling	Grabowski	Ottinger
Bow	Hagan, Ga.	Passman
Brademas	Halpern	Patman
Brown, Calif.	Hamilton	Pepper
Burton, Utah	Hardy	Philbin
Cahill	Harvey, Ind.	Powell
Carter	Hays	Reinecke
Celler	Hébert	Resnick
Chamberlain	Herlong	Rhodes, Ariz.
Clancy	Holifield	Rivers, S.C.
Clark	Holland	Rosenthal
Clausen, Don H.	Horton	Rostenkowski
Cleveland	Hosmer	St Germain
Conte	Huot	Scheuer
Corman	Ichord	Schisler
Craley	Irwin	Shipley
Cramer	Joelson	Sikes
Culver	Keith	Smith, Iowa
Curtis	King, N.Y.	Stafford
Denton	Lindsay	Stephens
Devine	Long, La.	Sweeney
Dickinson	Long, Md.	Tenzer
Diggs	McCulloch	Thomas
Dingell	McDade	Thompson, Tex.
Donohue	McMillan	Toll
Dorn	Macdonald	Udall
Edwards, Calif.	MacGregor	Utt
Evins, Tenn.	Mackay	Vanik
Farbstein	Martin, Ala.	Watkins
Findley	Martin, Mass.	Wolff
	Martin, Nebr.	Wyatt
	May	Yates

The SPEAKER. On this rollcall 313 Members have answered to their names, a quorum.

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

COMMITTEE ON AGRICULTURE

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a conference report on H.R. 9811, the Food and Agriculture Act of 1965.

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

There was no objection.

APPOINTMENT OF HOUSE CONFEREE ON H.R. 9567, THE HIGHER EDUCATION ACT OF 1965

The SPEAKER. The Chair appoints as a manager on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H.R. 9567, the Higher Education Act of 1965, the gentleman from Maryland, Mr. SICKLES, to fill the existing vacancy thereon caused by the resignation from the House of the gentleman from California, Mr. Roosevelt.

The Clerk will notify the Senate of the action of the House.

AUTHORIZING A CONTRIBUTION TO CERTAIN INHABITANTS OF THE RYUKYU ISLANDS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 600 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 600

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 joint resolution (S.J. Res. 32) to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952. After general debate, which shall be confined to the joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 600 provides an open rule with 1 hour of general debate for consideration of Senate Joint Resolution 32, a joint resolution to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

During the 7-year occupation of the Ryukyu Islands by the U.S. Armed Forces approximately 80,000 Ryukyuans suffered various damages arising from acts or omissions of the Armed Forces and later submitted claims totaling over $53 million. The total claims of $53 million were reduced through review to $22 million proposed by Senate Joint Resolution 32. These are not war claims. They do not involve damages which occurred during the war nor for postwar rehabilitation of war-damaged areas. Basically the claims are for damages suffered during the occupation period and fall into two categories: First, claims for torts committed by U.S. military personnel, resulting in injury to or the death of Okinawans or damage to their private property. Second, claims for the requisitioning of their property—mostly agricultural land—for use by the military.

Subsequent to the occupation, such claims were waived in the Japanese Peace Treaty of 1952. Because of this claimants through no fault of their own have been left uncompensated for damages which occurred during the 7-year occupation. The Ryukyu Islands and its inhabitants have played a major role in our defense effort in the Far East and the prospects are that they will continue to do so for some time. The proposed payments should provide effective redress for an acknowledged inequity and promote the American image of fairplay throughout the area.

Mr. Speaker, I urge the adoption of House Resolution 600 in order that Senate Joint Resolution 32 may be considered.

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

Mr. Speaker, House Resolution 600 will provide for an open rule, with 1 hour of general debate, for consideration of Senate Joint Resolution 32.

The purpose of this resolution is to authorize a contribution of not to exceed $22 million to the inhabitants of the Ryukyu Islands for settlement of injury and death claims arising from acts of the U.S. military forces on the islands from August 15, 1945, to April 28, 1952. This was the date of the signing of the peace treaty with Japan. During this time American forces occupied the islands. Damages were caused. These have been fixed at $22 million.

The U.S. Government does not have any legal obligation to pay as Japan waived all claims of her nationals by treaty. Japan has refused to pay these claims herself, as she has no administrative control over the islands during the period involved. Therefore, the United States wants to pay for damages done by its forces.

We have a number of major military installations there at Okinawa, of the Air Force, the Navy, the Marines, and so forth.

Those who may receive compensation are limited to individuals whose claims have not been satisfied by the Japanese Government. Cities may not make claims. This will save approximately $1 million and the committee, in my opinion, is to be credited for making that change.

The committee report recommends payment without any minority views. It pointed out that this resolution settles the matter fully and will terminate all

U.S. obligations for the period between Japan's surrender and the signing of the peace treaty.

Mr. Speaker, I know of no objection to the rule. At this time I yield 2 minutes to the gentleman from Virginia [Mr. POFF].

Mr. POFF. Mr. Speaker, I ask unanimous consent to speak out of order.

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

There was no objection.

Mr. POFF. Mr. Speaker, each Member of the House and Senate is distressed to learn about the need for the impending surgical operation of the President. That event brings into sharp focus the urgency and the utility of the Presidential Inability Constitutional Amendment recently proposed by the two House of Congress and submitted to the several States for their ratification. Specifically, Mr. Speaker, section 3 of that amendment was tailormade for precisely such a development. Section 3 permits the President voluntarily, when he foresees the need temporarily to vacate the discharge of the duties of his office, to transfer his powers and duties to the Vice President as acting President of the United States.

The current Executive agreement under which the President and the Vice President are operating, one which dates back to the Eisenhower administration, is perhaps as functional as any such agreement can be. However, Mr. Speaker, constitutional scholars are in dispute about the legality of such an Executive agreement. Many feel that it is impossible for the President, elected by all of the people of the United States, to delegate to some other person the powers and duties of the office to which he was elected, as those powers and duties are spelled out in the Constitution.

For that reason, Mr. Speaker, I earnestly hope that the legislatures of the States which convene next January will give priority to the consideration of what I confidently predict will be the 25th amendment to the Constitution.

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

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SOUTHERN NEVADA WATER PROJECT, NEVADA

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules and on behalf of the gentleman from Florida [Mr. PEPPER], I call up House Resolution 597 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 597

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. 2020) to authorize the Secretary of the Interior to construct, operate, and maintain the southern Nevada water project, Nevada, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, 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. SISK. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California [Mr. SMITH], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 597 provides an open rule with 1 hour of general debate for consideration of H.R. 2020, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the southern Nevada water project, Nevada, and for other purposes.

H.R. 2020 authorizes construction by the Secretary of the Interior of the southern Nevada water project, which is essentially a municipal and industrial water supply project by which water stored in Lake Mead will be delivered for use at various locations in Clark County, Nev.

The works authorized to be constructed consist of intake facilities, pumping plants, aqueducts and laterals, storage and regulatory facilities, and electric facilities necessary to serve the water supply system. The plan of development calls for construction in three stages at a total cost of about $81 million. The first stage of development is designed to meet the water needs in the area until about 1990 and is estimated to cost about $49 million. The other two stages would be constructed as needed.

The project water supply will come from Lake Mead and from Nevada's entitlement to main stream Colorado River water. The delivery requirement for the first stage will be up to 132,000 acre-feet of water annually. The second stage would provide for annual delivery of an additional 86,000 acre-feet which is expected to occur by 2008. The estimated delivery requirement for ultimate development is 312,000 acre-feet occurring in about 2020. The estimated net depletion of main stream Colorado River water by all three stages of the project and existing systems is about 262,000 acre-feet annually.

The economic evaluation over a 100-year period of analysis indicates that the total annual benefits will exceed the average annual costs in a ratio of 1.5 to 1 for the first stage and 1.6 to 1 for the ultimate project. The entire project cost is assigned to the municipal and industrial water supply function.

Mr. Speaker, I urge the adoption of House Resolution 597 in order that H.R. 2020 may be considered.

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

Mr. Speaker, House Resolution 597 does provide for an open rule within 1 hour of general debate for the consideration of H.R. 2020, entitled "The Southern Nevada Water Project."

The purpose of the bill is to authorize the construction of the southern Nevada water project, a municipal and industrial water supply program, using Lake Mead water to supply Clark County, Nev. Within the county are Las Vegas, North Las Vegas, and Boulder City, as well as Nellie Air Force Base, an Atomic Energy Commission installation, and the entire El Dorado valley.

The project includes pumping plants, aqueducts, and storage facilities. A three-stage program is eventually planned; only the first will be constructed at this time and will fill the needs of the area until 1990. The entire project cost is estimated at $81 million, the first stage at $49 million. The other two stages will be constructed as needed. Present estimates indicate the second will be needed in 2008, the third in 2020.

Presently the water supply for the area is pumped from an underground basin. At the current rate of use it is estimated that three times as much water is being pumped out as is being replaced by nature. There is no problem as to the Colorado River; the amount of water needed is well within Nevada's share.

Mr. Speaker, I know of no objection to the rule and I urge its adoption.

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

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

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HEMISFAIR 1968 EXPOSITION

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 9247) to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 5, line 2, strike out "$250,000" and insert "$125,000".

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

Mr. GROSS. Mr. Speaker, reserving the right to object, it is most interesting to hear that the other body has cut this bill. Some of us on the House Foreign Affairs Committee thought it ought to be cut when it was before our committee, but we could make no impression upon any of the sponsors. Now the bill has

gone to the other body and they lopped off—what was it——

Mr. FASCELL. If the gentleman will yield—$125,000.

Mr. GROSS. Exactly half of the $250,000 authorized by the House—$125,000.

Mr. FASCELL. Mr. Speaker, if the gentleman will yield, the gentleman from Iowa can take a great deal of satisfaction in his position on the matter. It has made the full circle now.

Now that both bodies have concurred in the position which the gentleman took, I am delighted he is satisfied; I hope they can get the job done. I have assured the sponsors if they need additional authorization we would be sympathetic toward it, because they may have a problem.

Mr. GROSS. My complaint is that we have to go to the other body to get economy in these things. I hope in the future the House Committee on Foreign Affairs and the members thereof will scrutinize more carefully some of these expenditures.

Mr. FASCELL. I can appreciate the gentleman's feeling. Sometimes it is annoying to rely on the other body.

Mr. GROSS. But it is the other body that has become the advocate of economy. I thank the gentleman for yielding.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING A CONTRIBUTION TO CERTAIN INHABITANTS OF THE RYUKYU ISLANDS

Mr. ZABLOCKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of Senate Joint Resolution 32.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of Senate Joint Resolution 32, with Mr. SISK in the chair.

The Clerk read the title of the bill.

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

Mr. ZABLOCKI. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, Senate Joint Resolution 32 is not a war claims bill, nor is it to rehabilitate property damaged during the war. The resolution authorizes payment of up to $22 million to certain inhabitants of the Ryukyu Islands to pay for damages caused by the U.S. Armed Forces over a period of 7 years of occupation.

The Ryukyu Islands which includes Okinawa is properly regarded as one of the key elements in the entire U.S. strategic position in the Far East and western Pacific. I need not elaborate on the vital roll which Okinawa played during the Korean war and its present strategic importance. We have well over $1 billion invested in military facilities in these islands and, for the most part on Okinawa. The U.S. Army has 65 sites, including such major installations as Naha military port and the district engineer. There are 24 Air Force sites including the Kadena Airbase where the 313th Air Division is located and Naha Airbase. The marines have 15 sites in these islands and the Navy has 13.

Our ability to continue to operate effectively this important Defense Establishment will depend upon the cooperation we receive from the Ryukyuan people. A very important element in obtaining cooperation in the future will be the payment by the United States of the claims covered by this bill.

These payments are clearly not a legal obligation of the United States because the Japanese peace treaty signed April 28, 1952, waived liability for claims on the part of the United States. However, the Japanese also deny any legal liability for payment of damages during this occupation period, August 15, 1945, through April 28, 1952, because they had no administrative control over the islands and article 3 of the peace treaty continues to deny the Japanese this control.

As a result, 80,000 Ryukyuans with a total of 180,000 claims are being left uncompensated for damage which were clearly caused by U.S. Armed Forces during this occupation period.

Mr. Chairman, on page 30 of the hearings, you will see detailed descriptions as to the nature of the damages and the amount of the claims arising therefrom.

For example, nearly $15 million will go for rental payments for lands used and occupied during the years 1947–50. Since July 1950, the U.S. forces have been paying the landowners for land use and the amount so paid through 1965 now totals $78 million. Two and one-half million dollars will pay for restoring land used for airfields, quarrys, and road surfaces which had been returned in an unusable condition.

Another item in excess of $831,000 is for uncompensated personal injury and death caused by U.S. personnel. As you can see, these injuries and deaths arose from various causes including ammunition explosions, physical attacks, accidental poisoning of water supply, rapes, and ship accidents. During this 7-year period, 346 Ryukyuans were killed by accidents, rapes, personal violence, and so forth, and another 382 injured.

These claims, Mr. Chairman, have been reviewed in detail by a joint Ryukyuan-American Committee. Out of $53 million in original claims presented to this joint committee for review, approximately $22 million were determined to be meritorious and are ready for payment when funds are appropriated, pursuant to this authorization.

The committee amended the Senate joint resolution in two respects. The first amendment eliminates municipalities from being eligible to receive payments for their claims which total approximately $960,000. The United States over the years has supplied economic aid including direct assistance such as water and sewer systems to the various municipalities and the committee felt that the United States had discharged any moral obligations to municipalities.

The second amendment was to restrict the payment for services to any one law firm that represents an association of claimants to not more than 1 percent of the claims paid.

In closing, Mr. Chairman, I want to reemphasize the dominant strategic importance of this area and the unique political status of its inhabitants. Okinawa and the other Ryukyu Islands are of the utmost importance to our own national security.

For this reason I urge that the resolution be overwhelmingly passed—I hope unanimously approved by the Committee.

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

Mr. Chairman, the gentleman from Wisconsin [Mr. ZABLOCKI] has very ably described this joint resolution.

I would like to say that our subcommittee and the full Commmittee on Foreign Affairs has gone over it very carefully. I am particularly pleased, of course, with the two amendments that the committee did write into the bill which in effect reduce the amount of remuneration that can be paid on these claims on account of services rendered on behalf of claimants from 5 percent down to 1 percent, and also providing for the elimination of any compensation to municipalities.

I think it might be of interest to the Members to know that the Ryukyu Islands have a population of about 930,000. This particular claims bill will actually affect nearly one-half of the population.

They are broken down in the following way:

Of claims over $10,000, there are only 31.

Of the claims between $5,000 and $10,000, there are 37.

Of the claims between $1,000 and $5,000, there are 665.

Of the claims under $1,000, there are 174,000.

So Members can readily see that the vast majority of the money that would be paid under this authorization bill would go to individuals with claims of less than $1,000.

Other legislative restrictions that have been written into the bill are as follows:

None of the funds can be used to pay claims which were paid by Japanese contributions. Any funds unobligated at the end of 2 years would revert back to the Treasury.

As the gentleman from Wisconsin [Mr. ZABLOCKI] has so able pointed out, because of the importance of Okinawa, its strategic value to our Government, and the moral obligation that I believe is involved in this bill, I also urge its adoption.

Mr. ZABLOCKI. Mr. Chairman, I yield 5 minutes to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Chairman, as introducer of House Joint Resolution

251, an identical bill, I rise in support of Senate Joint Resolution 32.

I wish at the outset to commend the chairman of the subcommittee, the distinguished gentleman from Wisconsin [Mr. ZABLOCKI], for the thorough and fair manner in which he conducted hearings on the resolution now before us. He deserves high praise for the judicious handling of this matter, and I congratulate him. The members of his subcommittee too are to be congratulated for their part in reporting this bill out by unanimous approval.

Mr. Chairman, ever since I have been a Member of this august body it has been a source of extreme gratification to me to know that I have been in league with men possessed of the highest ideals, including a strong sense of justice. The fact that we are today considering this measure now, is a strong indication of this, for passage of this bill will not in any way benefit any of the congressional districts represented here or enhance the chances for reelection of any Member of this House. The bill only serves to provide long-delayed equity to 80,000 human beings in far-off Ryukyu Islands.

Mr. Chairman, I am also happy to note that the Secretary of the Army, the High Commissioner of the Ryukyus, the State Department, and the Department of Defense have all indicated their support of the legislation before us. The Senate, of course, has already adopted the resolution. There has been universal recognition of the equity of this measure.

Mr. Chairman, the claims of the Okinawan people, which the bill seeks to compensate, were reviewed fully by a Joint Ryukyuan-American Committee appointed by the High Commissioner of the Ryukyus. The result of this review was to scale down the claims from $53 million, as originally submitted, to approximately $22 million.

The adjusted claims are for personal injury and death, for land rentals for the years 1947–50, for restoration of lands released to their owners in damaged condition, for appropriation of water rights, and for damage to buildings and growing crops and trees. Land-use claims are not included for the year 1946 because this was a period of postwar adjustment in which owners had generally not yet returned to their lands and produced crops. No interest is included, although the claims have gone uncompensated for 13 years and more.

Although the Government of Japan has denied legal liability for pretreaty claims in the Ryukyu Islands, in 1957 it made solatia payments to Ryukyuan pretreaty claimants in the amount of 1 billion yen—approximately $2.8 million. I should like to call attention to the fact that the amount of these solatia payments has been deducted from the amount of the claims covered by the proposed legislation, and a specific stipulation has been included in the joint resolution to preclude disbursement of funds appropriated thereunder for claims already satisfied by the Government of Japan.

Mr. Chairman, this resolution will rectify a serious omission in the U.S. administration of the Ryukyu Islands and do justice to thousands of inhabitants whose relatives were killed, or who were injured, or who suffered deprivation of property through the acts of our Armed Forces during the period following the termination of hostilities and prior to the treaty of peace with Japan. The United States exercised direct and exclusive governmental authority at that time, and we had substantial forces in Okinawa in the strategic interest of the United States, not only as a consequence of the war against Japan.

As a matter of law, it is unquestioned that the people of Okinawa are entitled to be compensated for these various acts on the part of the U.S. forces. In the main islands of Japan, this was done by the Japanese Government under the supervision of the Supreme Commander for the Allied Powers. In the Ryukyu Islands, there was no financially responsible local government that was able to do this, and the Japanese Government was cut off from all participation. The people of Okinawa have repeatedly presented their claims to the U.S. Government as the administering authority. Since the United States exercised direct and exclusive control during the entire period, there can be no doubt of U.S. responsibility to assure that compensation is effected.

Action on the part of the U.S. Government was delayed by a question with respect to U.S. responsibility in international law to pay the claims, in view of the fact that in the Japanese peace treaty, Japan waived all claims of Japanese nationals against the United States arising from the war and the occupation of Japanese territory. The executive branch has recommended that without accepting legal responsibility compensation nevertheless be made by the United States in the recognition of the facts that the individual claimants were, through no fault of their own, left uncompensated during the 7 years of the occupation, contrary to the practice followed in other occupied areas; that the United States, as the administering authority for the Ryukyus is concerned with the well-being of the people; that such payment would promote the security interests of the United States; and that it would foster respect for the spirit of fairplay and equity of the U.S. Government.

Mr. Chairman, I completely concur with this view, but I would personally go further. I suggest that in view of our complete responsibility for what occurred in the Ryukyu Islands since 1945, we have an obligation to the Okinawan people to see that effective compensation was made for what was done during the pretreaty period. I stress this because there may be some misunderstanding of the fact that the resolution proposes ex gratia payments. The peculiar history of the Ryukyu Islands in international law makes it prudent that we not establish a precedent of accepting legal responsibility to the inhabitants of a land that we governed as an occupying military power. However, the fact that any international legal responsibility of the United States to the Japanese Government, regarded as sovereign over the Ryukyus, has been extinguished by the Japanese peace treaty, does not absolve us of the responsibility to deal justly with the people over whom we have exercised exclusive powers of sovereignty since 1945. In dealing with the petitions of the Okinawans for compensation, we are simply exercising our direct governmental responsibility, and the question of preexisting legal liability does not arise. The situation is essentially similar to domestic U.S. legislation providing help for people injured by Government servants. If we did not already have legislation to provide compensation in the United States for acts of our Armed Forces, it would be our responsibility as legislators of the United States to provide it. It is essentially the same kind of legislative responsibility that we are belatedly discharging here.

Mr. Chairman, there is a growing fear among responsible pro-American segments of the Okinawan people that the pretreaty claims issue must be resolved, and resolved quickly, if the United States is to continue its occupation of Okinawa without political upheavals. These same sources fear that the long delay in acting upon these claims on the part of the U.S. Government may be turned into a major political issue and become a source of disaffection among the population of this important U.S. base.

Mr. Chairman, these are some of the underlying considerations in the joint resolution now on the floor. They provide a sound basis, at law and in equity, for compensation to our Ryukyuan friends. I urge a favorable vote on the joint resolution.

Mr. BROOMFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I am opposed to this resolution for the reason that this Government has no obligation whatever to these Okinawans. If any payment for damages is to be made to them it ought to be by the Japanese, not by the United States.

We are certainly supporting the economy of the Ryukyus today because the people are living upon the money we spend there for the maintenance of our huge military installations.

If there is an obligation, it is owed by the Japanese.

I am sure that in no other area of the Pacific did the United States expend more lives to take a given piece of territory than it did to conquer the Ryukyus in World War II.

Remember, this was Japanese territory. This was controlled by the Japanese. The Ryukyuans fought the United States. Thousands upon thousands of Americans were killed by Ryukyuans and Japanese.

Only about a month ago, several thousand Okinawans staged a demonstration demanding return to the Japanese rule and denouncing the United States.

Yet here we are asked today to spend $22 million more upon these people who show little evidence of being grateful for our past benevolence.

This is not a Philippine settlement. The Filipinos were our allies in World War II. These people were our enemies.

I again ask, What obligation do we have to them today? We are providing their economy, and a good economy by their standards, by virtue of millions upon millions of dollars spent each year on Okinawa providing direct employment and indirect income for these people. Why should we now spend another $22 million? For what reason?

No one who has spoken on this measure has given an adequate reason for the expenditure of $22 million more of our taxpayers' money. If there was any justification for the last Philippine claims settlement bill, there is certainly none for the expenditure of $22 million for this purpose.

I say again that these people were our enemies. Thousands upon thousands of American lives were lost on Okinawa itself in order to subjugate them and the Japanese. If there is any payment due to these people, it ought to have been made by the Japanese and not by the United States.

In view of the anti-United States demonstration that was staged recently by the Okinawans, I am surprised that this resolution is even being considered. Can it be that the demonstration was staged for the purpose of putting pressure on Congress to cough up $22 million? This seems to be the accepted formula used by altogether too many countries to dig deep into the pockets of American taxpayers.

How much longer will this Government yield and capitulate to these tactics?

Mr. Chairman, I cannot keep faith with the dead and living Americans who fought to take and hold this area and vote today to give away $22 million on the flimsy pretext of this resolution.

Mr. ZABLOCKI. Mr. Chairman, I yield 2 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Chairman, I am happy indeed to rise in support of Senate Joint Resolution 32, and to urge my colleagues here to join me in supporting it.

I would like especially at this time to commend my senior colleague from the State of Hawaii, the Honorable SPARK M. MATSUNAGA, for the great leadership he has displayed in bringing this matter to the attention of this House. I want to also commend the gentleman from Wisconsin, the Honorable CLEMENT J. ZABLOCKI, chairman of the Subcommittee on the Far East and the Pacific, and the other members of his subcommittee, for their careful and diligent work on this most important matter affecting so many of the people of the Ryukyus.

Mr. Chairman, the measure before us, Senate Joint Resolution 32 would redress a great injustice done to the people of Okinawa and would fulfill a moral obligation on the part of the United States.

The resolution authorizes the appropriation of $22 million to compensate certain inhabitants for claims based on death or injury, or for the use of or damage to private property, arising from acts and omissions of members of the U.S. Armed Forces between August 15, 1945, and April 28, 1952, the period of occupation up to the signing of the treaty of peace with Japan.

Through no fault of their own, and by what might be termed a quirk of circumstance, these poor and humble people have been deprived due process in seeking compensation for their individual losses.

This unfortunate situation resulted because, for purposes of control and administration, the Ryukyus were severed from Japan and Japanese postwar legislation was not extended to the area.

During the period I cited earlier, the U.S. Armed Forces in the Ryukyus constituted a military occupation. Ordinarily, damages by occupying forces of the United States are provided, on behalf of the United States, by the existing local governments. This fair and just rule could not be applied to Okinawa, however, because there was no financially responsible local government there in the immediate postwar years.

In addition, U.S. liability for such claims was formally extinguished by the treaty of peace with Japan, which became effective on April 28, 1952.

However, the concern of the United States for the well-being of these people resulted in the establishment of a joint Ryukyuan-American survey of damages, and it is the results of that survey that we are considering today.

The Honorable Stephen Ailes, former Secretary of the Army, put it most succinctly on January 8 when he said:

> The fact that the individual claimants were, through no fault of their own, left uncompensated during the 7 years of the occupation, contrary to the practice followed in other occupied areas, does constitute a situation calling for equitable adjustment at this time.

This alone would be enough to merit passage of the measure before us.

However, there is ample reinforcement for the argument in favor of payment if we consider the nature of the meritorious claims themselves.

They include $800,000 for personal injury or death, $15 million for land rentals, $2,500,000 for restoration of released lands, $50,000 for water rights, and $3,650,000 for damage to property and growing crops and loss of fishing rights.

In terms of American expenditures and individual recompense the sum under discussion is a small one. It is estimated that the annual claim per family is $275. It is further estimated that the ultimate benefits authorized by this measure could spread to reach 400,000 persons, almost half the population of Okinawa.

And these benefits would be spread among the common people of a community whose average per capita income is $319 a year.

Therefore, it is clear, I believe, that the benefits to the people of Okinawa—and to the United States—will be far greater than the actual amounts expended, in terms of both monetary impact and moral obligation.

There is little doubt that this measure before us would fulfill a moral obligation our Nation cannot and does not wish to avoid. It corrects an injustice that resulted from no fault of anyone and conforms our treatment of Okinawa to accepted international law and practice, as well as our own general practice.

I therefore urge all my colleagues to join in supporting the passage of this joint resolution.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

S.J. RES. 32

Whereas certain persons of the Ryukyu Islands suffered damages incident to the activities of the Armed Forces of the United States, or members thereof after the surrender of Japanese forces in the Ryukyus on August 15, 1945, and before the effective date of the Treaty of Peace with Japan on April 28, 1952;

Whereas article 19 of the Treaty of Peace with Japan extinguished the legal liability of the United States for any claims of Japanese nationals, including Ryukyuans, with the result that the United States has made no compensation for the above-mentioned damages (except for use of and damage to land during the period from July 1, 1950, to April 28, 1952);

Whereas it is particularly consonant with the concern of the United States, as the sole administering authority in the Ryukyu Islands, for the welfare of the Ryukyuan people, that those Ryukyuans who suffered damages incident to the activities of the United States Armed Forces, or members thereof, should be compensated therefor;

Whereas payment of ex gratia compensation, by advancing the welfare of the Ryukyuan people, will promote the security interest, foreign policy, and foreign relations of the United States; and

Whereas the High Commissioner of the Ryukyu Islands has considered the evidence regarding these claims, and has determined, in an equitable manner, those claims which are meritorious, and the amounts thereof: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States should make an ex gratia contribution to the persons determined by the High Commissioner of the Ryukyu Islands to be meritorious claimants, in the amounts determined by him, and that the Secretary of the Army or his designee should, under regulations prescribed by the Secretary of Defense, pay such amounts to the claimants or their legal heirs, as a civil function of the Department of the Army; and be it further

Resolved, That no funds appropriated under this joint resolution shall be disbursed to satisfy claims, or portions thereof, which have been satisfied by contributions made by the Government of Japan.

SEC. 2. There is authorized to be appropriated not to exceed $22,000,000 to carry out the provisions of this joint resolution, which funds are authorized to remain available for two years from the effective date of their appropriation. Any funds unobligated by the end of that period shall be covered into the Treasury of the United States.

SEC. 3. No remuneration on account of services rendered on behalf of any claimant in connection with any claim shall exceed 5 per centum of the total amount paid, pursuant to the provisions of this joint resolution, on such claim. Fees already paid for such services shall be deducted from the amounts authorized under this joint resolution. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives, on account of services so rendered, any remuneration in excess of the maximum permitted by this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than $5,000 or im-

prisoned not more than twelve months, or both.

Mr. ZABLOCKI (interrupting the reading of the joint resolution). Mr. Chairman, I ask unanimous consent that further reading of the joint resolution be dispensed with, that it be printed in the RECORD in full at this point, and be open to amendment at any point.

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

There was no objection.

The Clerk read the committee amendments, as follows:

Page 2, line 4, immediately after "persons" insert "(excluding municipalities)".

Page 3, line 17, immediately after "claim" and before the period insert the following: "; except that no remuneration on account of such services rendered on behalf of any association of claimants by any agent or attorney (including organizations thereof) shall exceed 1 per centum of the aggregate amount so paid on the claims involved".

The committee amendments were agreed to.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it has been stated that there are no war claims involved in this payoff. The effective date of the claims settlement begins August 15, 1945. If there is any way by which war claims can be segregated from peacetime claims that may have arisen for a substantial period since August 15, 1945, I would like someone to tell me how it is possible to do so. Had the effective date been August 15, 1946, it would be more possible to segregate war damage, but make no mistake about it—there will be war claims settled under the terms of this legislation.

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

Mr. GROSS. Yes, I am glad to yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I would like to point out that the hostilities had ceased on August 15, 1945. There were some skirmishes that were continuing, although the date of the cessation of hostilities was August 15. They are not war claims. I would like to point out to the gentleman from Iowa——

Mr. GROSS. How would the gentleman distinguish between them?

Mr. ZABLOCKI. The damages all occurred after August 15, 1945, which was after the cessation of hostilities. The committee reviewed these very carefully and the findings of the committee are listed in the report of the committee which begins on page 26 of the hearings. They have determined that these claims did not arise as a result of the war.

Mr. GROSS. Well, of course, that is a matter of the Commissioner's determination. I believe the only person that has had much of anything to do with this is the Commissioner, is that not true?

Mr. ZABLOCKI. Mr. Chairman, if the gentleman will yield further, there was a joint committee of Ryukyuans and Americans that reviewed these claims and reported to the High Commissioner.

Mr. GROSS. The High Commissioner was the chairman and apparently was the moving factor in all of this business.

Mr. Chairman, I say there is no way that war damage can be segregated from other damage that has occurred, if there has been peacetime damage, on the basis of the effective date of this resolution. In my opinion, we are going to be paying for war damages, damages that occurred when we were expending thousands of lives to take this territory. Moreover, there are 180,000 claims against $22 million provided in this bill. Just divide 180,000 claims into $22 million and you have about $122 per head.

Mr. Chairman, I do not know who we are trying to influence, who we are trying to buy, who we are trying to bribe with this kind of a deal.

I say again that this resolution ought to be defeated. It is not in the interest of the United States. It is a further waste that the taxpayers of this country can ill afford. It is not justified either morally or legally.

Mr. JONES of Missouri. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time in order to ask a question of the chairman of the subcommittee which handled this legislation.

In reading this report it is difficult to follow some of the language contained therein. There are some matters contained in the report to which I would like to have a definition.

When we talk about, on page 15 of the report, paragraph 15, where it says, "Amount of daily funeral expenses exceeds $2.94, it shall be fixed at $2.94 cents"—what is a daily funeral expense?

Mr. ZABLOCKI. Mr. Chairman, if the gentleman will yield, that was the formula used by the committee in determining the amount to be paid for personal injury and death. It is very complex and, therefore, the committee placed in its report on the bill the report of the Joint Committee as to how it determined the payment of claims in the case of injury and death.

If the gentleman from Missouri will read the entire presentation, from page 26 to page 31 of the hearings, I am certain the gentleman would come to the conclusion that the Joint Committee has given considerable study and made a great effort to see that the claims have been properly reviewed. In the particular instance questioned by the gentleman from Missouri the amount was determined on the average daily wage during 1958.

Mr. JONES of Missouri. I thought perhaps someone on the committee would know what a "daily funeral expense" is. I do not know what a daily funeral expense is.

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

Mr. JONES of Missouri. I yield to the gentleman from Florida.

Mr. FASCELL. I would suggest to the gentleman from Missouri that he read paragraph (b) on the same page and it will tell you.

Mr. JONES of Missouri. It says "fixed at 60 days standard wage or income of the deceased." That would be a funeral cost, but I cannot figure what a daily funeral expense is. I know what a funeral expense is, but I do not know what a daily funeral expense is.

Also, when you talk about the income of infants being set at $0.82 per day, schoolchildren at $0.98 per day, college students at $1.14 per day, a wife at $0.98 per day, and unemployed adults at $0.98 per day, I do not know what these figures mean.

If I recall at that time there were no such pay scales.

Mr. ZABLOCKI. If the gentleman will read the next sentence. If I may read it, referring to page 15 of our report, there is the following:

These amounts represent the daily average wage during 1958, except for infants, housewives, unemployed. In the latter case the daily average was adopted.

The formula is very clearly spelled out there.

Mr. JONES of Missouri. I have read all that. When I take into consideration what the daily wage rate was in Japan at that time, and the wage rate in these islands at that time, it seems to me you have a highly inflated basis on which you are trying to justify these expenses.

Let me ask the gentleman: What is the largest payment that you have going to any one individual? I know it is limited by 1 percent of $22 million. That gets it up to $220,000.

Mr. ZABLOCKI. On page 24 of the hearings there is a list of the largest Ryukyuan claims. Under (B) the Okinawa Sugar Mill Co., Ltd., would receive for land rental $174,556.32. In my opening statement I pointed out that at the present time the United States pays land rentals to the Ryukyuans and since 1950 has paid over $78.6 million.

Mr. JONES of Missouri. Let me ask the gentleman another question: We are over in Vietnam now. When this thing finally gets over does the gentleman think we are going to go over there and have payments like that made to these people?

Mr. ZABLOCKI. Our presence in Vietnam at the present time is due to war. There would not be any claims of this kind.

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

Mr. JONES of Missouri. I yield to the gentleman from Iowa.

Mr. GROSS. Suppose we subjugate the North Vietnamese, are we then going to raid the treasury to pay them for having shot up their country? Will we be expected to go in there and spend millions to take care of these Communists who are also our enemies?

Mr. ZABLOCKI. It is very difficult to answer the question of the gentleman. Should such a situation develop after the hostilities in North Vietnam cease that will be a matter to be considered then. It is not related to this resolution.

Mr. GROSS. The $22 million provided by this resolution is supposed to cover 180,000 claims, and some of them go as high as $160,000. It seems to me that some of these claimants are not going to get paid.

Mr. JONES of Missouri. It seems to me the way this bill is written the people

who really deserve to be paid are the ones who are not going to be paid. The people who have get more, and the people that do not have will get nothing.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. SISK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the Senate joint resolution (S.J. Res. 32), to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952, pursuant to House Resolution 600, he reported the joint resolution back to the House with sundry amendments adopted by the Committee of the Whole.

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

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

The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the Senate joint resolution.

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

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER. Pursuant to the order of the House of October 1, further proceedings on the Senate joint resolution will go over to Thursday, October 7.

GENERAL LEAVE TO EXTEND

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members desiring to extend their remarks prior to the vote on the Senate joint resolution may have that privilege.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SOUTHERN NEVADA WATER PROJECT, NEVADA

Mr. ROGERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2020) to authorize the Secretary of the Interior to construct, operate, and maintain the southern Nevada water project, Nevada, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of H.R. 2020 with Mr. SISK in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. ROGERS] will be recognized for 30 minutes and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in considering any project proposed for construction under the Federal reclamation laws the Committee on Interior and Insular Affairs always has a number of crucial questions that have to be answered. One is whether there is an urgent need for the project. Another is whether there is an adequate water supply to support the project—a question which is of particular importance when we deal with projects in the Colorado River Basin. A third is whether the project has a favorable benefit-cost ratio. And the fourth is whether it can pay for itself within a reasonable length of time.

I am glad to tell the House that all of these questions are answered affirmatively in the case of the southern Nevada water project which enactment of H.R. 2020 would authorize.

The principal purpose of the southern Nevada project is to provide a municipal and industrial water supply for an area of the country which has been growing very rapidly and which, as a consequence, has been exhausting its local water supplies at an alarming rate. The population of Clark County, Nev.—the area generally to be served by the project—was 45,500 in 1950 and 127,000, or nearly three times as great, in 1960. By 1962 it had increased to 193,600 and the projection for 1970 has it at 288,000 and for 1980 at 400,000 or nearly 10 times its 1950 population.

This increase in population has put a tremendous strain on the water supply of the area and makes it necessary for it to look to the Colorado River for a supplemental supply. Although the wells which have been in use produce water of a good quality, the quantity is decidedly limited and artesian pressure has been declining steadily. This is what always happens when water is mined as it is here. The estimate is that about 78,000 acre-feet a year are being taken out of the underground supply and that the recharge rate is between 25,000 and 35,000 acre-feet a year—an overdraft of more than 40,000 acre-feet each year. It is clear, therefore, that there is need for the supply which the southern Nevada project can make available in Clark County.

Let me add that this project supply is exclusively for municipal and industrial use. No irrigation water is included in it. The project, nevertheless, is proposed for construction under the Federal reclamation laws. Such a proposal is in accord with established policy since, for years, provision has been made for municipal and industrial water supply under these laws either in connection with irrigation projects or as separate units. Two instances of the latter that come to mind are the Canadian River project in Texas which was authorized in the 81st Congress and the Cheney Division of the Wichita project in Kansas authorized in the 86th Congress. We have, therefore, no problem of setting any new precedents in this legislation.

I pass now to my second subject—the question of water supply for the project. This is a question which is always prominent in any discussion of the feasibility of a project under the reclamation laws and particularly so, as I have already said, of projects in the Colorado River Basin.

Briefly the situation is this: It is proposed to construct the southern Nevada project in three stages. The first will involve a delivery of 132,000 acre-feet. The second, which will not be undertaken until some time in the future, will call for an additional 86,000 acre-feet. And the third will run the total up to 312,000 acre-feet by the year 2020. The project water supply will come from Lake Mead, the reservoir created by Hoover Dam.

Now let me emphasize that the figures that I have just given you are delivery figures. They are not depletion figures. Fortunately the amount by which the Colorado River will be depleted is about 16 percent less than these figures. When the project is in full operation, in other words, the net depletion of the Colorado River will be about 262,000 acre-feet a year. This is well within the 300,000 acre-feet called for by the contracts which the Secretary of the Interior entered into with the State of Nevada in 1942 and 1944 under the Boulder Canyon Project Act.

Of course, there is always some risk of shortages in the river, particularly as the upper basin States develop and begin using their full entitlement under the Colorado River compact. But the risk is minimized by the prospect that eventually there will be an importation of water into the Colorado River Basin from outside sources and by the fact that the southern Nevada project is to be undertaken in three distinct stages. If the importation does not materialize and a shortage develops before the last stage is undertaken, it will be possible to cut back on the southern Nevada project before we have gone too far. In short, the water supply situation appears satisfactory to the Committee on Interior and Insular Affairs.

Now as to repayment: The estimated construction cost of the entire project, at present-day prices, is $81 million and the first-stage cost is $49 million. I pointed out before that the project involves no irrigation, so it also involves no question of interest-free money. The entire project cost is allocated to municipal and industrial water supply at present. If, however, the River Mountains Reservoir is constructed and proves to be valuable for recreation and fish and wildlife, the bill provides for a modest nonreimbusable allocation to these purposes in accordance with established law. Part

of the municipal water supply will go to Nellis Air Force Base. The bill provides that the part of the construction cost properly allocated to this—an amount which we presently estimate at $1 million—shall be nonreimbursable. We could have treated this $1 million as reimbursable, of course, but that would merely have increased the bookkeeping, since the Air Force would then have had to secure an appropriation which, after being paid to the Bureau of Reclamation, would have been redeposited in the Treasury. By making it nonreimbursable we avoided this much of an out-of-one-pocket-into-another procedure. The remainder of the cost of the project charged to municipal and industrial water will be paid under a contract between the United States and the Colorado River Commission of the State of Nevada or some other State agency. It will be repaid, under the terms of the bill, within 50 years from completion of the project and it will be repaid with interest. Our committee had no reason to doubt the ability of the people to pay under these terms since the charge will be about 15 cents per thousand gallons in the first years and 10 cents per thousand gallons in the later years of the initial stage.

We had quite a little discussion in the committee about the interest rate to be charged. The bill as introduced called for interest at the same rate as the average coupon rate on long-term U.S. bonds now outstanding. This is about 3⅛ percent. It was proposed by some that we make it a flat 4 percent rate and by others that it be the same as the average yield on outstanding long-term Federal bonds, which would be about 4⅛ percent at this time. Although we recognize that there may be some merit to these suggestions, we decided to stick with the coupon rate formula. To do otherwise would be to penalize the southern Nevada people since this is substantially the formula which was adopted in the Water Supply Act of 1958 for general use and which is in force throughout the upper basin of the Colorado River and, indeed, in most other places in the West.

Mr. Chairman, I said that a fourth point that our committee always looks at is the benefit-cost ratio of projects that come before it. In this case, it is good. It is estimated that annual net benefits over a 100-year period of analysis will be 1.5 to 1.0 for the first stage of the project and 1.6 to 1.0 for the entire project. This by itself recommends the project.

It is in the light of such factors as these, then, that I commend the southern Nevada water project to the House and recommend that H.R. 2020, as amended, be passed.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am happy to yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Under section 6 of the proposed amendment it is provided that the Secretary shall recognize intrastate priority of water rights to the use of water existing on the date of enactment of this act.

Mr. ROGERS of Texas. Yes.

Mr. ROGERS of Colorado. That would actually include the 41,000 acre-feet the gentleman has been discussing, which belongs to the Basic Management, Inc., who acquired it from a Federal agency.

Mr. ROGERS of Texas. The gentleman is correct.

Mr. ROGERS of Colorado. Following through, on page 5 of the report it is stated:

> The Secretary of the Interior has entered into a contract with the State of Nevada for delivery of not to exceed 300,000 acre-feet of Colorado River water and the Supreme Court in *Arizona* v. *California* held that water should be released only to water users holding valid contracts with the Secretary of the Interior.

If Basic Management, Inc. has ownership of 41,000 acre-feet, will this be included within the 300,000 acre-feet which the Secretary will be authorized to enter into a contract for?

Mr. ROGERS of Texas. The answer to the gentleman's question is "yes." I would hope that the legislative history would not be obscured or cloudy on this point.

The subcommittee of which I am chairman, that heard the testimony on this bill, brought up this point, and it was very clearly stated and understood by all the members of the subcommittee, that the 41,000 acre-feet was an integral part of the 300,000 acre-feet referred to by the gentleman. It was also brought up and discussed in the full committee after the bill was reported by the subcommittee, and the same understanding was present there.

Mr. ROGERS of Colorado. If the gentleman will yield further, if the Secretary of the Interior, before he can enter into these contracts, must recognize intrastate priorities of water rights that have been established at the enactment of this act, what assurance can you give me or the other Members of Congress that he will recognize the State's rights in the State of Nevada and not issue a contract in this instance which would exceed the 300,000 acres as provided in the Boulder Canyon Project Act and under the Supreme Court decision? In other words, can you assure me that, first, it is the duty and responsibility of the Secretary of the Interior before he enters into a contract first to ascertain what the intrastate rights may be and if, as in this instance, these people are taking 41,000 acre-feet and are recognized under the law of the State of Nevada, that he could not then issue a contract in excess of the 300,000 acre-feet or, rather, you must take the 41,000 acre-feet away from the 300,000 acre-feet, which leaves 259,000 acre-feet that he could enter into a contract for here?

Mr. ROGERS of Texas. That is it exactly. There is no need for any assurance from me to the gentleman from Colorado. The law is very clear on the subject I think at the present time that the Secretary of the Interior does not have any power under the law to enter into a contract to allocate more water out of the Colorado River, insofar as Nevada is concerned, about 300,000 acre-feet, unless certain conditions are met where there is more water available. He does not have the right to allocate the 300,000 acre-feet unless there are 7.5 million acre-feet available for downstream.

Mr. ROGERS of Colorado. If the gentleman will yield further, that brings up the next question. Under the decree in Arizona against California, in section (b) (1) it says:

> If sufficient mainstream water is available for release as determined by the Secretary of the Interior to satisfy 7,500,000 acre-feet annually consumptive use in the aforesaid three States.

The three States referred to are Nevada, Arizona, and California. Now, if the Secretary of the Interior should fail to determine that there are 7.5 million acre-feet, then would there be a corresponding reduction of the water available for this project or to be placed into the contract?

Mr. ROGERS of Texas. Let me answer that for the gentleman now, because I think his language is not as clear as the RECORD ought to show. There would be no need for a reduction in the amount of water to be allocated to this project in its first stage because you are not using nearly the entitlement of the State of Nevada in the first stage of this project. Under no circumstances could the Secretary of the Interior ever allocate more water to Nevada than he has the right to allocate and contract under the law as it exists and under the Arizona-California case. The first stage of this project only involves 132,000 acre-feet. That is less than half of what Nevada will be entitled to under the compact and under the Arizona-California decree.

Mr. ROGERS of Colorado. Yes.

Mr. ROGERS of Texas. So this is a problem in which I think the gentleman understands it would not be a problem for some time unless the Colorado dried up almost altogether.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield further?

Mr. ROGERS of Texas. Yes, I would be happy to yield further to the gentleman from Colorado.

Mr. ROGERS of Colorado. Now, it is true as the gentleman points out that in the initial stages it will only take a small amount of allocation to the State of Nevada. But on page 3 of the report you finally come up with the conclusion that estimated delivery requirements for ultimate development is 312,000 acre-feet, occurring in about the year 2020.

Of course, we know that that is a long way off. But my point is, the Secretary being limited——

Mr. ROGERS of Texas. Yes.

Mr. ROGERS of Colorado. First, to make any determination and then what assurance can we have that he will not enter into a contract that will cause delivery of water in excess of the limitation to the State of Nevada?

Mr. ROGERS of Texas. Let me say this to the gentleman from Colorado, and I believe we can clear this up.

The 312,000 acre-feet about which we are talking is delivery water where it is going to be needed. It is water, some of

which will be returned to the stream and for which Nevada would be entitled. The determining factor is depletion of the river flow. Now, there is going to have to be supplemental water from some place else. At the present time their supplemental water or the main supply of supplemental water will be the underground supplies which can be fed into this project, plus the water out of the Colorado River.

Since the State of Nevada, assuming that 7.5 million acre-feet of water will be available for distribution, the State of Nevada would be entitled to 300,000 acre-feet of consumptive use water. They already have 41,000 acre-feet of that water. So they only have 259,000 acre-feet of water left. In other words, 41,000 acre-feet, plus 12,000 acre-feet, is 53,000 feet. If this entire project is worked out any number of acre-feet over and above the 300,000 acre-feet, entitlement of Nevada would have to come from supplies other than out of the Colorado River water, unless water were imported from some other basin and put into the Colorado River up above Lee's Ferry and be made available to the Colorado River. Now please understand that we are talking about consumptive use water. Some of the delivered water from the river may be returned. If so, Nevada would be entitled to credit.

Mr. ROGERS of Colorado. The decree in the case of Arizona versus California in (b) (3) provides——

Mr. ROGERS of Texas. Yes.

Mr. ROGERS of Colorado. If there is an insufficient mainstream water available for release, then there is a method whereby each State would reduce its amount.

Mr. ROGERS of Texas. That is right.

Mr. ROGERS of Colorado. If the Secretary finds that there is less than 7.5 million acre-feet, must he include in this contract with the State of Nevada or the base in connection therewith that they will take a reduction in the amount?

Mr. ROGERS of Texas. They would not have any rights, let me say to the gentleman from Colorado, to get more than 300,000 acre-feet or whatever they would be entitled to, and if they use this project, to its maximum the water has got to come from some place else other than the Colorado River, if more than 300,000 acre-feet is needed for this and the other allocation heretofore referred to.

Let me say this in finality, because I want to let someone else talk, there was nothing in the hearings, either in the subcommittee or the full committee, to indicate that there was any effort or attempt on the part of anyone to enlarge or to diminish any of the existing rights with regard to Colorado River water, and I would be willing to testify in any court test that it was not our intention in the subcommittee to do this, it was not our intention in the full committee to do this in any manner.

What we are simply trying to do is to make available to the State of Nevada an opportunity to use what they are entitled to, exactly as the State of Colorado has done in several instances with regard to this Upper Colorado water.

Mr. ROGERS of Colorado. I thank the gentleman from Texas for his explanation.

Mr. HALEY. Mr. Chairman, will the gentleman yield to me for a question?

Mr. ROGERS of Texas. I yield to the gentleman from Florida.

Mr. HALEY. Since we have the acre-feet of water settled and in good shape, as I understand this project the first stage is at a cost of $49 million.

Mr. ROGERS of Texas. That is right.

Mr. HALEY. All of that money is to be repaid to the Treasury of the United States in a 50-year period?

Mr. ROGERS of Texas. I thank the gentleman for bringing that up. I had hoped to get to that, but I used too much time on other matters.

The point is this: There is not one dime in this project that is not reimbursable with interest beginning with the time of construction. There is no subsidy of any kind in this project unless by building the subsequent reservoir there is a small item of fish and wildlife and recreation which is controlled by another law passed by the Congress. I want to say further there is about $1 million that goes into the Nellis Air Force Base which would be nonreimbursable. If we did not make that nonreimbursable we would force the Air Force to get an appropriation to pay to the Bureau of Reclamation, and then the Bureau of Reclamation would put it right back in the Treasury where it started out in the first place. We do away with a bookkeeping transaction.

Mr. HALEY. I thank the gentleman. This is one of the best projects that has come out of any of the western country. The Federal Government will receive every dollar that it put into this, plus interest, over a period of 50 years. The people were aboveboard, they did not try to put in here some fringe benefits that were not there, as was the case in some of these others I had some doubt about.

Mr. ROGERS of Texas. I thank the gentleman from Florida so much. This development was worked up through the astute questioning of the witnesses by the gentleman from Florida, and getting the information in the committee.

Mr. SAYLOR. Mr. Chairman, I yield myself such time as I may require.

I will yield no further.

I have other requests from my side of the aisle for time.

I yield 5 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, before commenting on the merits of this legislation, I wish to say that I have the highest regard for the author of this bill, our colleague from Nevada [Mr. BARING]. In my judgment he is one of the very able and conscientious legislators in this House. My normal instinct, frankly, seeing his name on a bill, would be to say, "This bill can be supported without going any further into the details."

I am sympathetic with the problem that he has and with his effort to assist his area in the solution of a very serious problem that it has. The water problem in this country is a problem that is growing in its intensity. We all know the problem that the West has had in obtaining water, but I would call attention to the fact that the problem of obtaining water for municipal and other uses is becoming a problem in many, many other areas of the country. It is a problem we must address ourselves to in a conscientious manner.

What makes me rise to question the advisability of the course of action that we are pursuing here today is the fact that the problem that we seek to solve by the proposed action is basically a problem to be solved by Clark County, Las Vegas, and the other Nevada communities involved. Their problem is no different than the problem that other communities have. I happen to be well acquainted with it. Not long ago, my home city, for example, which had been able to obtain its municipal and industrial water from underground sources, found that those sources were running out.

That city, Green Bay, Wis., had to seek another outlet, another source to be tapped, for water to serve its growing population. A few years ago, therefore, they determined that the only way that they could solve the problem satisfactorily was to go over 30 miles to Lake Michigan and tap that source. As a result, they had to put in pipelines, buy easements, put in pumping stations and all the rest—the very same thing, really, which the U.S. Government will do for Clark County, Nev., in this particular instance.

As I understand it, at least from the discussion and reading the reports, this is not a matter of making available a source of water which could be tapped. This is a matter of transporting water to which Nevada is entitled from one point to another point, from Lake Mead to Clark County.

As I analyzed this, I wondered why that was any different from the situation my home community faced. We bonded ourselves for over $8 million in just one community to get this water from Lake Michigan to the city of Green Bay.

One can say, and I agree, that the bill provides that the money advanced for costs will be repaid by this area and repaid with an interest charge which is stipulated, over the apparent lifetime of the facility itself, 50 years.

In Green Bay, by financing this ourselves, by using our own ability to issue bonds, we have reduced the remainder of our bonding capacity so that we do not have that ability to borrow for other purposes we might find desirable and needed.

Furthermore, at the present time—this makes it even more necessary that I call attention to this situation—another community in my district, the city of Appleton, has the same problem Clark County has. It has the same problem Green Bay had a number of years ago before the pipeline was put in. Appleton must soon seek another source of water. Its present water supply will not take care of the city's needs. What are they doing? They are searching out means to meet this problem and are considering doing what Green Bay did;

namely, going 40 or 50 miles to Lake Michigan to tap that source, putting in pipelines and pumping stations, and so forth.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Texas.

Mr. ROGERS of Texas. I believe it should be pointed out, so that the record will be clear, the people in this area have bonded themselves for approximately $16 million in order to make this water project possible.

Mr. BYRNES of Wisconsin. I had a visit with some of the people from Las Vegas last week. I understand they do have a problem with respect to internal distribution of water within, let us say, the city of Las Vegas. They have to reverse the flow, which causes problems and costs in connection with their own municipal water system.

But they have not bonded themselves, nor will they finance the actual transportation by pipeline, with the pumping stations and all the other things, for this water from Lake Mead to that point. They have other costs. Our communities may have extra costs in other areas.

I am sympathetic. Do not misunderstand me at all.

Mr. ROGERS of Texas. If the gentleman will yield further, I think the people there have been very well pleased to have been able to do this. However, we are really talking about two different areas.

Mr. BYRNES of Wisconsin. But the problem is the same. That is the only thing that bothers me.

Mr. ROGERS of Texas. They are two different areas to this extent. We are dealing with water transportation in the West over mountainous areas as compared to transporting it over level areas east of the Mississippi River where the engineering costs and other costs are so much different. They are so much greater in the West. These people have gone about as far as they can go in their bonded indebtedness to meet this requirement.

Mr. BYRNES of Wisconsin. Then I come to this point: If the city of Appleton is in the situation where it has used up its borrowing authority and it has other expenses that it has to incur for schools and otherwise, are you saying then that is the excuse and we can come to this House and ask the Federal Government to build or finance for us the pipeline that we are probably going to have to build from Lake Michigan to Appleton probably at a cost of $10 or $12 million? I do not see where there is much difference as to the volume of water or the population to be served. Relatively the costs are the same as for the project we are talking about financing for Clark County, Nev.

Mrs. GRIFFITHS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentlewoman.

Mrs. GRIFFITHS. I think the gentleman has made a cogent argument, and I would like to associate myself with his remarks.

Mr. BYRNES of Wisconsin. I thank the gentlewoman for her statement. The reason why I rise here is not in jealousy that one city or one county is getting something that my city did not get. It seems to me we have really presented here in this bill a question that we should decide on a nationwide basis as a matter of policy. In other words, as this problem grows, are we going to say to these communities such as Appleton, Wis., and others—and I believe there are some in Michigan and around other parts of the Great Lakes where they will have to go to the Great Lakes to get their water supply for municipal and industrial purposes—are we going to say we will finance on the same basis as provided here the construction and delivery of enough water to supply you?

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

Mr. SAYLOR. Mr. Chairman, I yield 5 additional minutes to the gentleman. Mr. Chairman, will the gentleman yield to me?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. First I want to commend my colleague from Wisconsin for calling attention to this problem. I am delighted to have his support, because this problem of water is not confined, as people thought many years ago, to the arid and semiarid regions of the United States. When the Congress in 1902 in its wisdom passed the reclamation law, they applied it only to the 17 Western States, but we find today not only in the Midwest but in the East and the South that water is a nationwide problem. Therefore, the gentleman is pointing up what should be done. I only hope that our committee will take a nationwide look at this and change the basic reclamation law to make it apply nationwide and not just in the 17 Western States. The problems which you have pointed out in your State and the problems which exist in Michigan and the problems which exist in Philadelphia and New York can be attacked from a national viewpoint then and not from a provincial or local area viewpoint in the West.

Mr. BYRNES of Wisconsin. Let me just say this: Let it be understood that I am not pleading here necessarily for further extensions of Federal control and Federal involvement, but I do say this: If, as a matter of national policy, we are going to decide that the communities cannot finance water distribution or the transportation of water from its source to its place of need and that the Federal Government must step in, then it seems to me we should do it so that all communities and all the areas are treated on an equal basis and on the same basis.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield to me?

Mr. BYRNES of Wisconsin. Yes. I yield to the gentleman.

Mr. ROGERS of Texas. I think actually first that the passage of the Rural Water Act and the passage of the community facilities provisions will permit this, plus title I of the rivers and harbors bill, which I understand, and my memory may be a little faint on it now, authorizes the Corps of Engineers to go into the entire northeastern part of the United States to do this very same thing.

Mr. BYRNES of Wisconsin. That is in connection with the study looking toward a solution to the water problem in that area. That is a great deal like what we did when we first went into the Western States in the first instance and studied what could be done.

If the gentleman would let me proceed. The programs that are available under the municipal projects, the Housing and Home Finance Agency operations, and the Community Facilities Act, are available to this area, but this kind of a project does not qualify under the programs, whether it is in Clark County, Nev., or in Brown County, Wis., or Outagamie County, Wis., this is something new and I believe the gentleman from Texas has to admit that.

Mr. ROGERS of Texas. Oh, no, no, if the gentleman will yield. I do not admit it is something new, because I would have to plead guilty as probably being the one who helped to start a precedent for his sort of thing in connection with the Canadian River project in my own district, which carries water by pipeline clear down into the district of the gentleman from Lubbock, Tex. [Mr. MAHON].

Mr. BYRNES of Wisconsin. Then, if we are doing it—if we have been doing it—I am sorry that I did not catch it at that point. We have created some precedents, I guess. But my point is now that we know this is a problem that is going to exist nationwide and not just in one area, it is my suggestion that we focus our attention on establishing a national policy so that all communities in an equal situation, with an equal problem, can obtain equal help and assistance if it so desires from the Federal Government.

Mr. Chairman, my objection is to singling out one item here, one item there, one community here, and patterning the program based upon that particular community, with others receiving no consideration.

Mr. Chairman, that is a problem that I wanted to present to the gentleman from Texas and to present to the House itself, so that we know where we are going when we do this.

Mr. Chairman, I frankly suggest that I believe we are moving in the wrong way when we take out this one isolated project, and I would suggest further we would be better off to consider in this Congress legislation dealing with the overall problem and make it available to all communities.

Mr. SAYLOR. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Chairman, I appreciate the ranking minority member yielding me this time.

Mr. Chairman, I rise to make an observation and a query of the gentleman from Wisconsin.

Certainly I appreciate his stating the problem as clearly as he has stated it, and I agree that we must have some national policy in these days when we are not only doing this in the 17 Western States, but it is a national problem, as

indeed the chairman of the subcommittee, the gentleman from Texas [Mr. ROGERS], has agreed, and certainly the ranking minority member, the gentleman from Pennsylvania [Mr. SAYLOR].

In fact, only recently I read one of the most intriguing articles I believe I have ever read about a national combine with our sister sovereign nation of the north to perhaps impede the flow of the Laird or Peace Rivers which flow into Mackenzie Bay or the Arctic Ocean; so we would have more power and more water, not only in the breadbasket of Alberta and so forth, but in our own breadbasket farther north.

This is entirely within the feasibility and engineering know-how of this day, and we must do it sometime on an international scale.

Mr. Chairman, as a member of the Committee on Armed Services, generally I am sympathetic to this particular request, because of the great Air Force base—Nellis—that is located in one of these towns—I believe halfway between Las Vegas and North Las Vegas—the Nellis Air Force Base, which is a big consumer of water. Last year during the Desert-strike operations there, and as a part of our duty as members of the Committee on Armed Services, we saw the crying need for water in this particular area.

Mr. Chairman, I know that the Green Bay Packers put out a lot of water as they did against the Chicago Bears on last Sunday afternoon. I wonder if his city, the example in point, has any military installation.

Mr. BYRNES of Wisconsin. If the gentleman will yield, that was more than water the Packers put out.

Mr. HALL. But I wondered if there was a military installation involved in the situation which the gentleman from Wisconsin cites?

Mr. BYRNES of Wisconsin. No; there is no military installation or any other governmental installation involved. But I wonder whether we are going to say if you have a military installation in your area, then you can expect all kinds of favored treatment on the basis that you have a Federal facility.

Mr. HALL. I think it is a part of the additional evidence we must consider on balance, in making a decision like this, indeed, as we did in the question of the sometimes ill-taken "impacted aid" for some military installations, where there are schools, and so forth.

Mr. ROGERS of Texas. Mr. Chairman, I yield 3 minutes to the gentleman from Nevada [Mr. BARING].

Mr. BARING. Mr. Chairman, I do appreciate the very fine personal remarks of the gentleman from Wisconsin, but I would like to point out that providing water for municipal and industrial purposes has long been an integral part of the reclamation program. These purposes were recognized, for example, in section 9(c) of the 1939 Reclamation Projects Act. On a national basis they have also been recognized as a legitimate purpose in projects of the Corps of Engineers, which serves those States not included within the reclamation program. To illustrate this, I need only to point to the Water Supply Act of 1958, approved during the Eisenhower administration.

In justification of Federal construction of the southern Nevada water supply project I should point out first that there is a critical Federal interest in the project area. The Members of this House no doubt recall that there are extensive Air Force and atomic energy activities in Las Vegas Valley. The atomic test site is a large factor in the local economy. The hearings on the bill reveal that Nellis Air Base is very short of water today. This base will be an important user of water under the proposed project plan.

Under the decision of the Supreme Court in the Arizona against California case, decided in 1963, the Secretary of the Interior clearly is the water-master on the Colorado River. Under that decision he will decide in the lower basin who goes short of water in years of drought. No one can use the water without a contract with him. The Secretary of the Interior built Hoover Dam under the Boulder Canyon Project Act of 1928, and the southern Nevada water supply project is essentially only an adjunct of the multiple purpose Boulder Canyon project.

In the Water Supply Act of 1958 the Congress declared that "the Federal Government should participate and cooperate" with local interests in developing water supplies in connection with multiple-purpose projects built by the Corps of Engineers or the Bureau of Reclamation.

Some Members seem to feel the local residents of the area are doing nothing to help themselves in meeting their water needs. Nothing could be further from the truth. Most of today's water supply comes from artesian wells. In order to use the water delivered under the southern Nevada project, major revisions will have to be made in the distribution and pumping system of the Las Vegas Water District. In anticipation of the Federal project the voters in the district area already have approved construction of facilities which will cost $17.1 million. Of this amount $15.7 million will be raised through municipal bonds.

The program of the Community Facilities Administration does not include projects of this magnitude. According to the 1963 report of the Community Facilities Administration 96 percent of their projects are located in towns of less than 2,500 population. Almost none of these projects have exceeded $1 million in cost. That program has no relevancy to the water requirements of southern Nevada.

You have heard an argument that the people in southern Nevada should be able to build this project since the people of Green Bay, Wis., have been able to build a pipeline and filtration project bringing water from Lake Michigan. According to the Office of the Water Superintendent in Green Bay, that project cost a total of $6½ million, of which only $3 million was invested in the pipeline system. The rest of the $6½ million went into a filtration plant.

The first stage of this project in southern Nevada will cost $49 million. There is no comparison in the engineering problems involved between Green Bay and the Las Vegas project. The Green Bay project involved a lift of only 390 feet whereas the lift in the case of the southern Nevada project will be 1,360 feet. Even with the Federal expenditure of $49 million for the first stage alone, the water users in southern Nevada will have to bear their own water treatment cost and, as indicated before, a very substantial investment in distribution facilities, amounting to more than $17 million. This local cost is over 5 times the cost of Green Bay's local facilities.

The Congressman from Wisconsin is trying to compare a $3 million, relatively level pipeline system with a complicated mountainous system and regulating reservoir that will cost $49 million. The city of Green Bay, Wis., has a population of 81,000 people. All of Clark County, Nev., has a population of about three times that of Green Bay. The southern Nevada project with all its complexities will cost 16 times that of the Green Bay project. It is obvious that Green Bay's solution to its water problem has simply nothing to do with the actions necessary to resolve the water problems existing in southern Nevada.

My colleague from Wisconsin also refers to a local pipeline system proposed to be built by the city of Appleton, Wis. Mr. Dimick of the Appleton City Water Department says that their project will cost about $2½ million. Appleton has a population of over 50,000 people. As I mentioned before the population of all of Clark County is about 250,000 or 5 times that of Appleton. The Las Vegas Valley Water District alone is spending almost 7 times as much as Appleton just to put the Federal project water to use in its service area. The Congressman from Wisconsin insists on comparing a peanut with an orange. It just cannot be done.

H.R. 3020 will not be setting a dangerous precedent. Other projects such as the Norman project in Oklahoma and the Canadian River project in Texas have involved the same principle. The interest rate formula is the one approved in the 1958 Water Supply Act. Local interests are doing their share, and this project is urgently needed.

Mr. Chairman, the bill before us this afternoon, H.R. 2020, is to authorize the construction of a municipal and industrial water supply project in populous and rapidly developing Clark County, Nev., containing more than half of the State of Nevada's population. The cities of Las Vegas, North Las Vegas, Henderson, and Boulder City will be served by the facility as will Nellis Air Force Base and the Atomic Energy Commission installation located in that area.

I earnestly solicit the support and help of my colleagues in solving one of my State of Nevada's most serious problems by supporting this bill. Upon water the entire future of southern Nevada depends.

The project before us today is not an irrigation-reclamation project, nor it is a public power project, it is essentially a single purpose municipal and industrial water supply development. This pumping and pipeline facility will tap Nevada's

300,000 acre-foot allotment of Colorado River water from Lake Mead and supply it to the increasing municipal and industrial needs of Clark County.

Over the past two decades the growth of Las Vegas, North Las Vegas, Henderson, Boulder City and all of Clark County has been tremendous, and it continues to be one of the fastest growing areas in America.

For many years now the demand for the ground water has far exceeded the safe yield causing serious and justifiable concern that the underground water supply will run entirely dry.

Our experts estimate our recharge to Las Vegas Valley's underground basin is only 25,000 to 30,000 acre-feet. In the year 1964 alone, we pumped 78,000 acre-feet from this underground basin, about three times the safe yield of that basin. Our water use is increasing every day, and it is estimated by our experts that the water needs in Las Vegas Valley in 1970 will be in the area of 160,000 acre-feet.

The estimated $81 million cost—$49 million for the first phase—is repayable by the users at interest. A bond issue has already been passed in the area to help provide the financing in the amount of $15.7 million, which will give you some indication of how strongly the people of our State feel about this particular problem.

You may wonder why action has not been taken to conquer this serious water situation until now, but activity on this issue had been delayed awaiting the U.S. Supreme Court decision in the Colorado River Water Co. of 1922. This decision was finally returned on March 9, 1964, and which decision among other things, allocated 300,000 acre-feet of waters of the Colorado River to the State of Nevada. These are the waters which will be utilized in this southern Nevada water supply project under discussion today.

At the present, the State is using only 25,000 acre-feet of this 300,000 acre-feet allocation from the Colorado River, primarily because of the inadequacy of facilities for transportation of water. The project before us today would enable the State to put part of its entitlement to beneficial use to sustain the present economy and provide for expansion. In other words, this project is merely the vehicle with which Nevada will be able to realize the full benefits of that entitlement.

I cannot overemphasize the critical need and great urgency to have this project approved. In the arid southern extremes of my State water is the magic difference between growth and decay, prosperity and hard times, strength and weakness. This is particularly the case in the Clark County region of Nevada because it is the fastest growing section of one of the fastest growing States. Clark County has already outstripped its underground water and there is imminent danger of exhausting this resource.

In short—without this legislation southern Nevada will have no water within a very short time. All costs are reimbursable by the beneficiaries. Financially and technically the southern Nevada water supply project has independence and feasibility. It is vital to the survival and prosperity of the people of southern Nevada, and I earnestly solicit your support in making this critically needed project a reality.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

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

Mr. JOHNSON of California. Mr. Chairman, I want to rise in support of this legislation. It is a matter that was thoroughly heard by the Subcommittee on Reclamation of the Interior and Insular Affairs Committee. The full Committee on Interior and Insular Affairs agreed to this unanimously. We had a complete hearing which proved to our satisfaction that there is nothing wrong with the bill. Our friend from Nevada has pointed out there is a precedent for this in several projects. For this we have only to refer to the Norman project in the State of Oklahoma which was approved by the 86th Congress and signed into law on June 12, 1960. And, even before that we had the Canadian River project in Texas, a project which received the approval of the 81st Congress and was signed into law December 29, 1950.

I know of no opposition to the bill. The people of the State of Nevada will pay back all of the costs of this with interest. It is the only way they can solve their water problem.

Mr. ROGERS of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from Alaska [Mr. RIVERS].

Mr. RIVERS of Alaska. Mr. Chairman, I rise in support of this legislation and wish to associate myself with the constructive arguments that have been presented here by my colleagues in favor of this legislation.

I have heard of opposition to reclamation bills where irrigation was involved on the grounds that it would bring acreage into production which would only add to existing surpluses. But I have never heard of opposition to bringing more water into a city or cities to keep people drinking.

I recognize that the matter of water shortages is a national problem, but it is also one that comes under the reclamation policies that have been followed in the West. I am in favor of making it of national scope so that we can take care of water shortage problems in New England and other Eastern States and in other parts of our country.

Mr. ROGERS of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Wyoming [Mr. RONCALIO].

Mr. RONCALIO. Mr. Chairman, I thank the gentleman from Texas, the very able subcommittee chairman and my colleague on the full Interior and Insular Affairs Committee.

I have listened with attention to the debate on this bill and rise to associate myself with the gentleman from Pennsylvania [Mr. SAYLOR], with the floor manager of the bill, the gentleman from Texas [Mr. ROGERS], and with my other colleagues of the House Interior and Insular Affairs Committee of both political parties who are unanimous in their support of this legislation.

I would not do so if there was one iota of possibility of damage to the water rights of the State of Wyoming or if there existed a possibility that the water appropriation would someday inure to the detriment of the Upper Colorado River States. I have listened to the argument of the gentleman from Colorado [Mr. ROGERS] and I consider him and his colleague, the gentleman from Colorado, Chairman ASPINALL, able defenders of the waters of the Upper Colorado, and am happy to have his assurances and his concurrence that there is no chance of water contracts between the Secretary of Interior and the Las Vegas interests which would damage upstream water rights, now or beyond 1990, or any other future date, with or without importations to the Green or Colorado River watersheds.

Mr. ROGERS of Texas. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, there is one further observation I want to make and I think it has been brought out very clearly during the debate here today. I think the people of the United States are realizing more now than ever before that there just is not room for everybody in this country to live on the banks of the creek. The only way in the world we are going to develop this country is to make water available to the areas where the people live and where people want to live. I think every time we build one of these projects, we are increasing the wealth of th United States of America. I think if you will analyze this and weigh it out, you will find that the reclamation program in the West has produced many, many times more than it has ever cost the people of this country and will continue to contribute to the wealth and welfare of the people of this country.

I would urge support of legislation of this type and, as the gentleman from Wisconsin [Mr. BYRNES] suggested, that this should be made available to the cities in other parts of the country so that they can have their water supplies which are dwindling. As the population explodes and the amount of water is not increased, we have to do something to meet these water needs.

I think this is a challenge that we can rise up to meet in this type of legislation and I would urge its adoption.

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

All time has expired.

The Clerk will read.

The Clerk read as follows:

H.R. 2020

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to construct, operate, and maintain the southern Nevada water project, Nevada, in accordance with the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), except as those laws are inconsistent with this Act, for the principal purpose of delivering water for municipal, industrial, and incidental irrigation use. The principal features of the southern Nevada water project shall consist of intake facilities, pumping plants, aqueduct and laterals, transmission

lines, substations, and storage and regulatory facilities required to provide water from Lake Mead on the Colorado River for distribution to municipalities and industrial centers within Clark County, Nevada.

SEC. 2. (a) The Secretary shall make appropriate allocations of project costs to municipal and industrial water supply and, if appropriate, to consideration: *Provided*, That all operation and maintenance costs for the southern Nevada water project shall be allocated to municipal and industrial water supply. Construction costs of said dam and reservoir allocated to conservation shall be nonreimbursable.

(b) Allocations of project costs made to municipal and industrial water supply shall be repayable to the United States under either the provisions of the Federal reclamation laws or under the provisions of Water Supply Act of 1958 (title III of Public Law 85-500, 72 Stat. 319 and Acts amendatory thereof or supplementary thereto): *Provided*, That, in either case, repayment of costs allocated to municipal and industrial water supply shall include interest on the unamortized balance of such allocations at a rate equal to the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this Act and adjusted to the nearest one-eighth of 1 per centum.

(c) If conditions permit irrigation use of project water, the Secretary is authorized to allocate to irrigation, under the provisions of the Federal reclamation laws, an appropriate portion of the project construction costs allocated to municipal and industrial water supply.

SEC. 3. (a) The Secretary is authorized to enter into the necessary contract, or contracts, with the Colorado River Commisson of Nevada, acting for the State of Nevada, for the delivery of water and for repayment of the reimbursable construction costs, notwithstanding provisions of section 5 of the Boulder Canyon Act (45 Stat. 1057).

(b) Construction of the project shall not be commenced until a suitable contract has been executed by the Secretary and the Colorado River Commission.

(c) Such contract may be entered into without regard to the last sentence of section 9, subsection (c), of the Reclamation Project Act of 1939, and may recognize the relative priorities of municipal, industrial, and irrigation uses.

(d) Upon execution of the contract referred to in section 3(a) above, and upon completion of construction of the project, the Secretary shall transfer to said Colorado River Commission of Nevada the care, operation, and maintenance of the intake, pumping plants, aqueducts, reservoirs, and related features of the southern Nevada water project upon the terms and conditions set out in the said contract.

(e) When all of the costs allocable to reimbursable purposes incurred by the United States on constructing, operating, and maintaining the project, together with appropriate interest charges, have been returned to the United States by the Colorado River Commission of Nevada, said commission shall have the permanent right to use the intake, pumping plants, aqueducts, reservoirs, and related features of the southern Nevada water supply project in accordance with said contract.

SEC. 4. Such amount of the costs of construction as are allocated to the furnishing of a water supply to Nellis Air Force Base or other defense installations shall be nonreimbursable.

SEC. 5. Expenditures for the southern Nevada water project may be made without regard to the soil survey and land classification requirements of the Interior Department Appropriation Act of 1954 (43 U.S.C. 390a).

SEC. 6. The use of all water diverted for this project from the Colorado River system shall be subject to and controlled by the Colorado River compact, the Boulder Canyon Project Act (45 Stat. 1057; U.S.C. 617t), and the Mexican Water Treaty (Treaty Series 994) (59 Stat. 1219).

SEC. 7. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to carry out the purposes of this Act.

Mr. ROGERS of Texas (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and be open for amendment.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent that the committee amendments be considered en bloc.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, lines 9 and 10, strike out "municipal, industrial, and incidental irrigation use." and insert "municipal and industrial use."

Page 2, lines 8 through 14 strike out all of section 2(a) and insert the following in lieu thereof:

"SEC. 2. (a) The Secretary shall make appropriate allocations of project costs to municipal and industrial water supply and, if appropriate, to fish and wildlife and recreation: *Provided*, That all operation and maintenance costs for the southern Nevada water project shall be allocated to municipal and industrial water supply. Construction costs of the River Mountains dam and reservoir allocated to fish and wildlife and recreation shall be nonreimbursable in accordance with the Federal Water Project Recreation Act (79 Stat. 213)."

Page 3, line 2, after "States" insert "in not more than fifty years".

Page 3, lines 4 through 18, strike out all of subsection (c).

Page 3, line 19 through 24, strike out all of section 3(a) and insert in lieu thereof the following:

"SEC. 3. (a) The Secretary is authorized to enter into a contract with the State of Nevada, acting through the Colorado River Commission of Nevada or other duly authorized State agency, for the delivery of water and for repayment of the reimbursable construction costs."

Page 4, line 7, strike out "Commission." and insert "Commission or other duly authorized State agency."

Page 4, lines 11 and 12, after "1939" strike out ", and may recognize the relative priorities of municipal, industrial, and irrigation uses".

Page 4, line 16, after "Nevada" insert "or other duly authorized State agency".

Page 4, line 25 strike out "Colorado River Commission of Nevada, said commission" and insert "State of Nevada, said State".

Page 5, lines 9 through 12, strike out all of section 5.

Page 5, line 13, strike out the section designation "6." and insert "5."

Page 5, line 16, after "1057;" insert "43".

Page 5, after line 19, insert the following new section:

"SEC. 6. In all water supply contracts for the use of water in Nevada under this Act or section 5 of the Boulder Canyon Project Act (45 Stat. 1057) the Secretary shall recognize the intrastate priorities of water rights to the use of water existing on the date of enactment of this Act: *Provided, however*, That nothing in this Act shall be construed as validating any right diminished or lost because of abandonment, nonuse, or lack of due diligence, nor shall anything in this Act be construed as affecting the satisfaction of present perfected rights as defined by the decree of the United States Supreme Court in Arizona against California et al. (373 U.S. 340)."

Page 6, lines 6 through 9, strike out all of section 7 and insert the following in lieu thereof:

"SEC. 7. There is hereby authorized to be appropriated for construction of the southern Nevada water project, Nevada, the sum of $87,003,000 (September 1965 prices) plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein."

The committee amendments were agreed to.

Mr. ROGERS of Colorado. Mr. Chairman, I move to strike the requisite number of words.

I wish to try to clarify and make certain the provisions as outlined in section 6 of the bill with relation to the Boulder Canyon Project Act, and to point out that the Boulder Canyon Project Act does not authorize nor compel the upper basin States to deliver the 7,500,000 acre-feet of water at Lees Ferry. However, it does provide that over a 10-year period the upper basin States are obligated to deliver 75 million acre-feet of water at Lees Ferry.

The reason for calling this to the attention of the House is that I do not want the Secretary of the Interior to get any authority whatsoever in the interpretation and application of the Supreme Court decision of Arizona against California to assume when there is a deficit he has an obligation to demand water from the upper basin States.

The decree at section (B)(3) provides that when there is insufficient mainstream water available of 7,500,000 acre-feet then the Secretary without regard to State lines will allocate the water, in the lower basin States.

As I interpret it—and if there is any question about it among the members of the committee, it should be made clear—the Secretary would not have any authority to allocate the waters in the upper basin States at all. If, under this bill, they only have the right to establish their priorities as of the enactment of this law, then under no circumstances could the Secretary of the Interior require the upper basin States to deliver any water and no authority and no rights will be given to the State of Nevada to require anything, other than what is required under the provisions of the Boulder Canyon Project Act, for the delivery of the 75 million acre-feet over a 10-year period when the Secretary of the Interior enters into this contract, he should specify that he cannot demand of the upper basin States the delivery of any water.

I do not want him under this legislation, or any proposal by Congress, ever to have that authority, although the Supreme Court, in Arizona against California, said that "in order for you to get

water out of Lake Mead or other projects you have to have a contract with the Secretary." I do not want the Secretary to have a right to issue any contract for any water north of Lee Ferry. I hope that the members of the committee will agree.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I am happy to yield to the gentleman from Texas.

Mr. ROGERS of Texas. Let me say, as chairman of the subcommittee, acting today in handling the bill, if the Secretary did not have that right under the case of Arizona against California, and the compact which was entered into, it was not the intention of the committee that he get that or any other additional right under the legislation pending before the House at this time.

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

Mr. RONCALIO. Mr. Chairman, I move to strike the requisite number of words, and I am happy to yield to the gentleman from Colorado, who speaks with authority and experience in protecting the waters of Wyoming as well as those of Colorado.

Mr. ROGERS of Colorado. I thank the gentleman. I wish to emphasize what the gentleman from Texas has stated. It is clear, and I want it made clear, that if the Secretary is compelled, under the Arizona against California decision, to make an allocation because of insufficient water, that allocation will be made according to the decree and according to the priorities of rights which were in existence, which will be filed within 2 years from March 9, 1964. That does not affect this, nor will the contract or the authority given to the Secretary under this legislation authorize him to make any demands upon the upper basin States.

I appreciate what the gentleman from Texas has said. I am sure that the record is clear. The decree which says that the Secretary shall allocate in the States "according to priorities filed under this decree" will have no application to the upper basin States and applies only to the lower basin States.

Mr. RONCALIO. I thank the gentleman from Colorado.

Mr. Chairman, I desire the legislative history of this act to show that this House has been assured there is no danger whatever of a "fait accompli," ever permitting the Secretary of the Interior to make an appropriation over and above that set by law regarding upper States Colorado River water. With this understanding in the legislative history, I believe there is no question that this is proper and valid legislation and in the best interests of the Nation, not just Nevada water users. I am happy to support it.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. SISK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 2020) to authorize the Secretary of the Interior to construct, operate, and maintain the southern Nevada water project, Nevada, and for other purposes, pursuant to House Resolution 597, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

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

The amendments were agreed to.

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

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

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

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

Mrs. GRIFFITHS. 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. Pursuant to the order of October 1, further proceedings on this bill will go over to Thursday, October 7.

THE HIGHWAY BEAUTIFICATION ACT

Mr. FALLON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. FALLON. Mr. Speaker, on tomorrow, Thursday, October 7, this body will begin to consider the Highway Beautification Act of 1965—S. 2084. As chairman of the Committee on Public Works, I can report to this House that this legislation comes before you after extensive hearings and a full executive session. It has been fully and extensively considered by the Committee on Public Works and it represents what I believe to be good legislation. It embodies at once both the proposals of this administration in its efforts to further beautification of the highways of our Nation, and, at the same time, it gives full consideration to the interests of all parties who will be affected by the legislation.

I urge all Members to be on the floor during the general debate on this legislation and I am sure that after the bill is fully explained to this body, it will receive the overwhelming support of the Members.

THE HIGHWAY BEAUTIFICATION ACT OF 1965

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, as chairman of the Subcommittee on Roads of the Committee on Public Works, I am happy to report to this House that on tomorrow a most important piece of legislation—the Highway Beautification Act of 1965, S. 2084, will be brought up for consideration by this body.

I urge each and every Member to be present on the floor during debate on this legislation. This is a good bill. It is brought before you after having been fully considered in committee and after having been properly amended to carry out a much-needed beautification program for our highway system, while at the same time taking into consideration the interest of such legitimate businesses as advertisers, junkyarders, and auto wreckers. Listen to the debate on this legislation carefully and at its finish, I know you will understand what this bill means, what the committee intended when it reported this legislation and I am certain that then you will support S. 2084.

THE HIGHWAY BEAUTIFICATION ACT OF 1965

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. EDMONDSON. Mr. Speaker, in connection with the bill about which you have just been hearing from the distinguished chairman and subcommittee chairman of the Committee on Public Works, I would like to state that tomorrow the House will begin consideration of the Highway Beautification Act of 1965, S. 2084. This bill, which is the product of the House Committee on Public Works, is a substantial and constructive response to President Lyndon Johnson's message of May 26, 1965. Under the provisions of the bill a partnership effort between the several States and the Federal Government would be authorized and funded, with the beautification and scenic development of the Nation's interstate and primary highways as its major targets.

It is our sincere hope that Members of this body will find it possible to attend and participate in the general debate of this bill, and will not be swayed by some of the misleading information which is being circulated concerning it. A careful reading of the bill and the committee report will establish beyond question that the bill is a well balanced and carefully constructed measure, designed for constructive action.

Contrary to some reports which you may have heard, this bill does not interfere in any way with on-premise advertising by restaurants, motels, service stations and other businesses, wherever those businesses are located. Contrary to some reports you may have heard, billboards and outdoor advertising devices are permissible in commercial and industrial zones under this bill. Contrary to some reports you may have

heard, the States and the Secretary of Commerce must be in agreement as to the limitations and standards which will prevail in each State, and this bill assures a separate hearing on these important questions in every one of the 50 States.

When you have heard the facts concerning this bill, I believe you will want to join us in giving it your enthusiastic support.

THE HIGHWAY BEAUTIFICATION ACT OF 1965

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute; to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. WRIGHT. Mr. Speaker, I rise to join those from the Public Works Committee in commenting upon the highway beautification bill which will be presented to the House tomorrow.

All of the country is rightfully indebted to the very gracious First Lady of our land for her intense interest in preserving the scenic beauty of America for future generations.

Mr. Speaker, as this country has grown and has been transformed from a rural Nation into an urban one, as the suburban sprawl has spread with a carpet of concrete across more and more of our country, we lie in grave danger of leaving to future generations no more relic or remembrance of our time than the garish clutter symbolic of a crass commercialism.

This bill contains one particularly interesting feature. One section of the bill would permit the Federal Government, in concert with the several States, to acquire properties of land for scenic enhancement in those areas adjacent to our arterial highways where the grandeur of our natural beauty might be preserved for future generations of travelers, where scenic drives and overlooks might be located, where people might stop for picnicking or breathing in the breathtaking beauty of America, where wild flowers indigenous to the area might be seen, and where the beauty of our land might be preserved.

HIGHWAY BEAUTIFICATION ACT OF 1965

Mr. OLSEN of Montana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, this highway beautification bill is not a bill of condemnation, it is not a bill of prohibition against free enterprise or against the advertising industry. It is, rather, a recognition that there must be some regulation of a reasonable kind so that free enterprise, so that advertising, can work its will, and so that the rest of the folks can enjoy this country too.

As has been pointed out, we would provide in our Highway System Act that people may enjoy better this country and its natural beauty while not injuring in any way the advertising industry, but simply asking them, through hearings, as has been explained, hearings to be held in every State of the Union, to determine what is reasonable in the way of regulation of the great advertising industry, but at the same time demanding of them that there be some regulation and some system and agreements between the States and the Federal Government.

After all, those sponsoring the major part of this mileage regulation that will take care of signboards, that will take care of junkyards, that will take care of automobile wrecking yards, but at the same time provide enjoyment for all of the people of America who are traveling these wonderful highways we are constructing.

SAVE THE CHILDREN

Mr. OLSEN of Montana. 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 Montana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, on Wednesday of last week, my colleague, the gentleman from Florida, the Honorable SAM M. GIBBONS from the 10th District of Florida, introduced a bill which makes a lot of sense to me.

This bill, which he calls Operation Good Start provides for financial assistance for the training of child development specialists who will deal with children in the lower grades in grammar school who are emotionally disturbed. The ranks of the underworld are swelled yearly by children who grow up emotionally disturbed. If emotionally disturbed children are helped early enough in life, they may have a chance at decent, fruitful lives. The Warren Commission Report shows that if there had been sufficient help available to Lee Oswald when he was growing up in New York City, our beloved President Kennedy would be alive today.

Of course, this bill is not the whole answer and no one maintains that it is. The most successful police force in the United States considers itself lucky if it can contain crime, hold the line, while at the same time in other cities the crime rate soars. While we wage war on crime we must look for means to prevent crime as well. According to J. Edgar Hoover, crime is big business in this country and amounts to $26 billion a year. If we can be of help in our schools to children who are products of broken homes, who have boiling within them the seeds of their own destruction and the destruction of others, we will have taken a solid and a practical step.

I want to congratulate my friend, the gentleman from Florida, Congressman GIBBONS, for his thoughtfulness and courage in introducing this bill. I was the attorney general of Montana for a period of 8 years, and I have represented young people in criminal cases for many more years than that. My experience has taught me, as it has taught others, that the only way to effectively attack crime is to attack it at its roots. Congressman GIBBONS is a fine and able legislator, as we all know who have watched his work as the floor leader for the poverty bill. The work of this gentleman is of the first rank. His district and his State have the right to be proud of him.

HIGHWAY BEAUTIFICATION ACT OF 1965

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. BLATNIK. Mr. Speaker, in this rather limited time I will briefly point out what I think is one of the major issues and sources of misunderstanding on the pending beautification bill. We will elaborate on it in general debate tomorrow for such time as may be necessary.

At the outset, may I call the attention of my colleagues to what I think is a gross—not deliberate—misconception that is being propagated among our Members that this highway bill will give the Secretary of Commerce some arbitrary, dictatorial powers to regulate and dictate where and under what conditions billboards and junkyards may be established and maintained. It is nothing of the kind. This bill merely requires that the Secretary for purposes of this legislation only, must enter into agreements with the States to do two things:

First. Where land is used for industrial or commercial purposes, but has not actually been zoned by the State, the Secretary and the State would come to agreement as to the designation of these areas, based on the criteria the State now uses in its normal zoning procedures. The Secretary would have no power to interfere in any way with any actual zoning a State or local subdivision decided to do.

Second. To agree on the criteria which would govern the size, spacing, and lighting of signs, except on premise signs, where they are allowed.

Before any of these agreements can be entered into, hearings must be held in every State in which all interested parties can be heard and present facts.

In addition, the Secretary must report back to the Congress on the criteria and other factors in the agreement a full year before control would go into effect. The Congress can then make any modifications it feels are necessary.

The power that is being given to the Secretary under S. 2084, the Highway Beautification Act of 1965 has precedent in already existing law. Title 23 of the United States Code encompasses the Federal-aid highway program and spells out quite clearly the relationship between the Secretary and the various States and the

construction phase of the highway program.

May I cite for the benefit of the Members subsection E of section 103, title XXIII, United States Code, wherein the language says quite clearly:

The Secretary shall have authority to approve in whole or in part the Federal aid primary system, the Federal aid secondary system and the Interstate System as therein such systems or portions thereof are designated or to require modifications or revisions thereof.

Let me cite another section of title XXIII, subsection B of 109. I read this language:

The geometric and construction standards to be adopted for the Interstate System shall be those approved by the Secretary in cooperation with the State highway departments.

It is quite evident from the simple reading of these two sections that the Secretary, and properly so, has the full authority to determine the location of highways and construction of highways. This is carried out in cooperation with and in conjunction with the several States by the Secretary.

Under the new section of S. 2084 the same section exists. The agreements to control of billboards are to be worked out in agreement between the Secretary and the several States. I cannot understand the furor over this that this is something new when the record is quite to the contrary.

In S. 2084 before any agreement is reached as to the existing location and spacing of signs there must be public hearings held in all the 50 States. There must be a report back to the Congress by January 10, 1967, as to the type of standards the Secretary will adopt and finally there must be an agreement between the State and the Secretary.

Let me further add that if the State is not satisfied there will be a judicial review.

My experience in the highway program throughout the years indicates that there has been almost complete cooperation between the Secretary and the States. I see no reason for this to change under this legislation.

This is good legislation, it is needed legislation, it protects the interests of those affected by it and we must pass this bill.

HIGHWAY BEAUTIFICATION ACT OF 1965

Mr. HOWARD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. HOWARD. Mr. Speaker, the first two lines of our wonderful patriotic song, "America, the Beautiful," read:

Oh beautiful for spacious skies,
For amber waves of grain.

But today across this great Nation of ours, we are quite often saddened by an America which is not as beautiful as it could be.

We Members of Congress have a serious obligation to the American people to preserve the beauty of our country. We will be given the opportunity to carry out this obligation by approving the Highway Beautification Act of 1965 which comes to the floor of the House tomorrow.

The American people are taxed so that we might build roads on which they can travel—for the necessities such as going and coming from work as well as the pleasures of going on a family drive in the countryside.

The people who are paying for these highways deserve to have these highways protected so when they drive along an artery they can enjoy beautiful scenery and not be subjected to roadside ugliness.

In the words of former Secretary of Health, Education, and Welfare Anthony Celebrezze:

Beauty was here and man has destroyed it to a great extent. The question is how we can change man's behavior to restore beauty.

Mr. Speaker, we, the Members of this Congress, must begin the fight back against roadside ugliness by approving the highway beautification legislation.

NEW WAYS FOR NEW DAYS

Mr. LANDRUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. LANDRUM. Mr. Speaker, down through the years our National Government has evidenced its interest and concern in education. This administration especially has in a variety of ways shown tremendous interest and concern about the problems of education, the problems that arise from ignorance and the poverty that results from a lack of education.

One of America's foremost educators, formerly at Tulane University and now president of Mercer University of Macon, Ga., Dr. Rufus Carrollton Harris—incidentally, one of America's most fearless speakers in behalf of what he believes to be right—recently addressed a convocation of the Woman's College of Georgia. In the course of that address, he alluded to some of the means by which this administration is attacking the disease of poverty and ignorance and he described in eloquent terms the effect that poverty and ignorance have on our society today.

In the course of his address he said:

The greatest single hope for our Nation's certain and solid advancement rides on the success of this embarkation.

Mr. Speaker, Dr. Rufus Carrollton Harris' address is as follows:

NEW WAYS FOR NEW DAYS

(By Rufus Carrollton Harris)

Ladies and gentlemen, I cannot embark upon my address this morning without some acknowledgements. First, I mention the honor done to you and to me by the presence of the Honorable Carl Vinson, a renowned leader of the American Congress for half a century and Mercer University's most distinguished living alumnus. Secondly, I acknowledge with deep appreciation all the evidences of welcome and esteem extended by a friend of many years, your president, Dr. Lee. I felicitate this community as well as the State for his leadership and your educational progress.

To all the students here I offer my warm felicitations—and my firm assurance. They deserve congratulations for choosing to begin this stage of their education in a college so fine as the Woman's College of Georgia, and they are entitled to assurance that I shall not attempt by this address to educate them. I am not guilty of speaking in excess of the prescribed and proverbial allotment of time beyond which souls are not saved, nor saints tempted to impatience.

An ancient Roman poet 2,000 years ago wrote that rolling time affects the status of all things, so that what once was held in high esteem "from honor falls and something new emerges out of scorn to become each day more desired." It is to this fact that I speak. It is obvious that many southern folkways "once held in high esteem" in the areas known to most of these students are giving way to something new as Lucretius wrote, emerging perhaps out of scorn. Desegregation in southern public life is becoming an accomplished fact. The winds of change are blowing aside outworn social patterns like withered leaves before the gale. The unwritten laws of color and caste are disappearing. Our region is beginning to comprehend that in order to become an organic, functioning part of the United States, unified in a new society of national greatness, some of its ways once "held in high esteem" must from honor fall.

But much of the South remains uncertain. This uncertainty frequently is apparent in leadership, and it is a factor in its search for leadership. Who will the South follow? What sources will afford unselfish and compassionate support? Instead of backward through the embers of love to hate, bitterness and empty revenge, where forward must leadership take us to find the inspiration and faith by which we southerners may live and prosper? What is the depth of our concern over the extended southern crisis in political morality and fully representative government? How deep is our concern for equal justice and fair economic and political practice? These are questions to concern all the college personnel in our region, whether we like the questions or not.

In some ways the South already is a conspicuous part of a new age. In these years, for instance, many foreign journalists and scholars visit the United States. They come to broaden their professional horizons, and to become better acquainted with us. Sometimes more readily than we, they have become aware of the strategic importance of southern higher education and its responsibility for human freedom and public leadership. They are forming and conveying their impressions to others, day by day. We are thus touching the lives and aspirations of men and women in remote parts of the world. In similar fashion, hundreds of students from many countries around the world are enrolled in Southern colleges. Here they are gaining their vivid, personal impressions of our life, favorable or not, to take back to their people. A number of them perhaps are enrolled in this college. We should be pleased when we are able to note the appreciation acquired by them of the new determination, valor and compassion of the modern South. Only this past month I was delighted to encounter a young German politician in Germany whose obvious admiration of American ways had been acquired by his good college experience in this country. Such admiration is a compliment to us.

Southern colleges and universities, by the hard way, are coming to comprehend their role of leadership in southern life, and its intimate identification with educational opportunity. But their hands have been so full of multiple race problems they could not cope with the problem of poverty, and its attendant poor elementary schooling. All of the colleges since World War II have been confronted with many problems, of which desegregation was only a part of the total. Not many of them have been able to obtain the necessary political, social, economic, and church support. There have been, moreover, not only the two known worlds of white and color within the South but also two other worlds—the world of the rich and the world of the poor. Since Appomattox the South has carried two major burdens, the complicated burden of racial disarrangements, and the uneven regional burdens of poverty and ignorance.

Thus without adequate preparation, the swelling of college enrollments and the shortage of competent scholars and adequate facilities, along with the specter of financial famine, have crippled the sources of strength needed by southern higher education.

Where is the South to find its strength? Oppressed by huge areas of poverty, addicted to a cultural enslavement of itself, harangued by some politicians who mislead the people, overly sensitive even to fair criticism, what are the sources of southern hope for advancement? Whatever else her old ways of life afforded, they assured stability and consistency of expectation. These, too, now are gone. It is doubtful if any group of students has encountered more pertinent questions. But they need not be downcast; the problems are not hopeless.

There are, I believe, several good answers: First, there is appearing a new enlightened self-interest in the region. This is observed, for instance, in the more positive assumptions of responsible leadership by many local communities, by many great business houses, and by industry, extending frequently beyond the sign of the dollar. Second, citizens in the non-South are learning at last that their own long-range interest depends in some measure upon helping us in a comradely, not a condescending, way. Happily, the South with all of America is developing a consciousness of kind, with no section feeling beset by the others. We now see that all of us are in the center of contemporary national, and even world life together. Third, while misunderstood by many thoughtful Americans and distrusted by others, there is a powerful new source of help in modern Federal assistance. This source is affirmed by the widespread support for Appalachia, the Economic Opportunity Act, legislation supporting education, and the magnificently increased Federal attack on poverty. The greatest single hope for our Nation's certain and solid advancement rides on the success of this embarkation.

The proposal by the Federal Government to attack poverty and ignorance is the logical response to the long years which brought the population explosion, the riotous spirits of nationalism in nations newly freed from colonialism, and the revolutionary advance in modern industry and technology. These facts detonated vast needs for change in the character of social action and welfare responsibilities required of government. These needs will not vanish. Attendant upon such circumstances, the challenge of the Great Society is both logical and timely. There are increasing needs for it. With new and more complex problems in urbanization, automation, the diffusion of skills, training, and health, if planning is neglected there may be no effective escape from the dangerous disarrangements which these conditions invoke. Eugene Patterson, the distinguished editor of the Atlanta Constitution, writes feelingly that from the second industrial revolution now upon us, the "uprooted migrants from our machine-tended fields should not be machined again to urban design, nor should they be compressed into gray blocks of cities—bales of faceless humanity without individual will or release."

The chief obstacle to any good society is ignorance. This abounds primarily from poverty. The children of poor families are difficult to educate, largely because their homes lack the required cultural advantages. There are severe gaps and lags in their unprivileged lives. Their schools are more neglected, and generally they have less apt teachers than do the schools of more fortunate children. These facts are not difficult to comprehend. Marvin Wall, writing for the Atlanta Constitution, has declared that there is a cycle of poverty. "Families living in deprivation are likely to pass their deprivation on to their children, and thence to subsequent generations." What so many are likely to adjudge as laziness and lack of ambition is often the pessimism and defeatism established by years of failure and self-pity. These conditions contribute actively to the school dropouts, the submarginal employment, the neighborhood delinquency, and even the ultimate acceptance of a life in slummy circumstance. Many southerners never have seen a real slum.

They do not understand that while they contain many undesirable types, yet such types are in the minority. Good, hardworking people constitute the great majority of the inhabitants. The problem, as Ralph McGill has shown repeatedly, is one of flesh and blood, with poverty and neglect being their chief causes. It is not a simple one lending itself to easy cures. The war on poverty and ignorance is a gigantic effort fought on many fronts, the ultimate success of which will be experienced chiefly by dispelling the dejection and doubt of these people.

As we enter upon more bewildering and explosive times, this poverty and ignorance will add seriously to the growing explosion potentials. This is dangerous to government and to order. We were slow to comprehend this peril because the population explosion, and the effects of the industrial and scientific revolutions, were slow in their manifestations. Such retarded developments concealed dangerous leadership and educational deficiencies. They now reveal the fact that the total forces of education in our area, public and private—including the church owned and related—are inadequate for the needs and stresses of our time. They are indeed in real distress, and they are in much need of local support. It is pertinent sometimes to show that the first need of education today is to educate the American public on how badly it needs it. And these indispensable and critically needed colleges themselves need and deserve community support as do the fine organizations included in the United Givers Fund. This does not seem to be adequately understood. Their plight reveals a deep chasm between what we are and what we wish to be. In these fat years all is not well with us if solicitude, compassion, modesty, competency, and responsibility are replaced by disregard, ruthlessness, immodesty, the quick dollar, and self-indulgence. Nevertheless our region is capable of recovery and adequacy. If the essential insight, stamina, and courage are found, its future is bright—not gloomy. This means that we must direct our concern for the future—not the past—and as good citizens accept the countless challenges and opportunities of the new day. Failure to meet its needs can lead only to stagnation.

I wish to invite the attention of these students to what I regard as the essential, personal product needed by the South from adequate educational resources. An important function of educational institutions is to encounter and to debate ideas. Such endeavor is normal to the quest for truth. This debate will sometimes arouse wide and active disagreement and dispute. Everyone should expect it. Learning advances that way. But we should not expect this process to place the colleges into protest and tension which degenerate into strife and fracas. We saw too much of that in California.

The strength of education which we have gained by slow and painful effort will be set back, as Logan Wilson, president of the American Council on Education stated: "If college campuses are allowed to become dissension centers and embroilment opportunities." In a period when so many strident voices are demanding that we follow them, and are seeking to confuse us, and when there is so much presented manifesting bad taste and poor breeding, our culture needs, now, an improved image of unselfish thought, gracious life, and dignified deportment. This image may be established by an educational experience from which should emerge the example of an unobtrusive dissimilation and manner to portray poise, calm, and relaxed assurance. In an informal sense that art has suffered from the neglect of the aristocratic temper which tailored it. It has been kept alive, however, by those concerned with equanimity and the fitness of things. Its relevance lies in the intangible area of inner qualities of character which bear accomplishment and attainment lightly. It scorns the notion that one must prove good birth, or make known great learning, or claim great virtue, or assert personal opulence, or proclaim superior accomplishments. If you find the moderate and the disciplined more to your liking than the boorish and the promiscuous; if you prefer discrimination and taste to vulgarity and crassness; if you insist that an important matter in life is the manner of living it, this portrayal which I urge of relaxed poised confidence is your cup of tea. It is ambition, desire, purpose, ability, and duty, integrated into a matchless composite of inner and outer harmony.

The attributes of cultivated ease which the Renaissance man called sprezzatura have been displayed, in one form or other, by great men in every age. It is a luxury which this generation can afford. In a period which finds many people disporting themselves in insensitive beatnik rags, it suggests the importance of the amenities and the civilities of life. In a society allowing so much personal liberty it suggests personal limitations prescribed by codes of personal conduct. In an era given to excessive informality, it suggests elevation of mind and manner that is neither too formal nor stuffy. In a period which applauds so many Madison Avenue ways to move people, it stresses dimension in personal character.

You have sensed by now the parallel between the quality and discipline implied in the ideal I have suggested and the quality and discipline involved in the heart of the liberal arts tradition. This tradition avows something more to education than accumulation and display of knowledge. It is education for the genuinely freemen. Humility is deeply lodged in it, and modesty is its essential. It is the ideal possession for the man who has everything. While it is neither bought nor sold in the markets of the world, yet you can readily find the ingredients for its cultivation. They are not vaunted, nor are they puffed up, but surely they are not hidden in the vapors of a mystic culture. May I express to these students my hope for God's blessings to help you find from your college experience here the bright promise of something new and better for our life, which each day is more desired. You have a role to play in the future of our region. That role can be a force for progress and freedom—not merely a voice in the wilderness.

ILLEGAL USE OF FIREARMS

Mr. CASEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. CASEY. Mr. Speaker, for many months I have been attempting to focus this Congress' attention on the illegal use of firearms.

The fantastic growth of our crime rate is a national disgrace, and I have cited statistics from the District of Columbia and from the FBI's national report showing that the repeat offender is the major source of our problem. This is borne out in a survey by the Philadelphia Police Department, as reported by the Philadelphia Inquirer of September 28, 1965.

Seven out of ten persons arrested for the major crimes of homicide, rape, robbery, burglary, aggravated assault, or carrying a deadly weapon had previous arrest records.

In fact, it was discovered that 281 persons arrested during the 6-month period studied had 10 or more arrests on their record.

I do not single out Philadelphia for any special criticism, for I am sure that a survey in Houston, Tex., or any other major metropolitan area will show similar results. But the conclusions to be drawn from such a survey are obvious: there is a complete breakdown in criminal prosecution and punishment, and the law-abiding citizens are not receiving the protection to which they are entitled.

As my colleagues know, there is before this Congress legislation to amend the Federal Firearms Acts. Several bills would impose a host of restrictions on honest and law-abiding hunters and sportsmen, as well as businessmen, in a vain attempt to curb illegal gun use.

Mr. Speaker, the solution in my judgment is to strike at the criminal, not the gun. I have a bill which in my opinion would go far toward curbing the use of firearms by the criminals, and it is still pending before the Judiciary Committee. It is H.R. 5642, and it would provide a 25-year mandatory Federal penal sentence for anyone who uses or carries a firearm which had moved in interstate commerce during the commission of the crime of murder, rape, robbery, aggravated assault, burglary, or kidnaping, on which the Judiciary Committee has not seen fit to hold hearings.

The distinguished Committee on Ways and Means has been holding hearings on bills before it designed to amend the Federal Firearms Act, and I had the privilege of appearing before this distinguished committee in this regard. I urged the Committee on Ways and Means to include in any firearms legislation it reports out to this House a provision striking at illegal use of guns by criminals.

I further pointed out in my appearance before the committee that since my introduction of H.R. 5642, I had found some opposition to the 25-year mandatory sentence, this opposition being that some feel it is too severe a penalty and opposition from some of the judiciary who feel that the courts should have complete discretion in the term of sentence.

I say to the Members of this House that in view of the alarming statistics of crimes committed with firearms, it is time that we reverse our thinking to some degree. In the past, we have been concerned about putting a limit as to the amount of time a person could be assessed for a crime. Practically all the statutes on the books state that upon conviction for any offense, the penalty shall not exceed a certain number of years. I believe that we should now, in view of the facts as have been disclosed in the Philadelphia survey and other surveys, see that a minimum sentence is imposed upon those criminals who would prey upon the honest businessman or the defenseless woman caught in the streets. It is time that we remove them from society for a sufficient period, not only for punishment but for rehabilitation if such is worthwhile.

To that end, I introduced H.R. 11427 yesterday to offer as a guideline for the distinguished Committee on Ways and Means, as well as for you, my colleagues in the House. It is similar in most respects to H.R. 5642, except that it provides that on a first offense, conviction would bring a mandatory sentence of not less than 10 years and that for any subsequent offense, the mandatory sentence would be not less than 25 years.

Mr. Speaker, if there is any doubt on the part of the Members of this House on the need for such a bill, I respectfully draw their attention to the article from the Philadelphia Inquirer of September 28, 1965, which I include for their information:

SEVEN IN TEN CRIMINALS HERE ARE REPEATERS, POLICE STATISTICS DISCLOSE

Seventy percent of the people arrested for the violent crimes of murder, rape, robbery, burglary, aggravated assault, or carrying deadly weapons in Philadelphia have had previous arrest records, Police Commissioner Howard R. Leary revealed Monday.

A study of city crime statistics released by the commissioner also showed that one of every four persons arrested for a major crime in the first half of this year was found to be free on bail, on probation, or on parole from another crime.

The police department studied the records of 2,327 adults arrested for violent crimes between February 1 and July 31.

OVER 10 ARRESTS

Of the repeaters, 61 percent had records of arrests for violent crimes and 40 percent for the same type of crime that brought about the new arrest.

The study toted up the statistics for all those with at least one previous arrest; but more often than not, there was more than one.

In fact, 281 persons had records of more than 10 previous arrests—the statisticians stopped counting at 10.

HOMICIDE FIGURES

Going down the list crime by crime, Leary revealed the following:

Homicide: There were 88 persons arrested on this charge in the 6-month period, 55 of them with previous records, 19 of them free on bail, on probation or on parole.

More than one-third of these suspects had previous arrests for violent crimes, such as those listed, and one standout had nine cases of violence on his record. There were even four arrested who had been arrested on a murder charge—and of those one had been arrested twice before.

Rape: There were 164 persons arrested for rape; 103 of those (more than 62 percent) had been arrested before, 66 for crimes of violence, 21 for the same charge of rape, 23 for a sex crime other than rape.

Of those arrested on this charge, 33 were on bail, probation or parole at the time.

Robbery: A total of 403 were arrested on robbery charges, more than half return customers. Of these, 72 were on bail, 24 on probation, 31 on parole.

About 25 percent of them had at least two violent crimes in their police files, at least 20 percent had been arrested for robbery before.

Burglary: 722 citizens were picked up on burglary charges, a whopping 598 with records of previous arrests; more than half were arrested for the same crime, and 251 were out on bail, probation or parole.

About 20 percent of the burglary suspects had been arrested for burglary more than once, 3 had 10 or more arrests to their name, 17 had a half-dozen or more.

Aggravated assault: There were 596 arrests on this count, 338 with previous arrests and 94 free on bail, probation or parole. Of all the arrests, 201 were for some crime of violence and 137 for the same crime.

Carrying deadly weapons: Commissioner Leary pointed out that while the carrying of a deadly weapon is not a violent act of itself, the possession of weapons precedes most violent crimes.

There were 454 arrests in the 6-month period, 320 of persons with prior records. Forty-seven of those arrested in this category had been arrested 10 or more times before. There were 84 persons free on bail, probation or parole.

REPEAT OFFENDERS

Here are police statistics on previous arrests—for the same or other crimes—of adults arrested in six categories of major crimes in Philadelphia for a 6-month period from February 1, 1965, to July 31, 1965:

Homicide: 9 arrested 10 or more times; 10 arrested 7 to 9 times; 12 arrested 4 to 6 times; 24 arrested 2 to 3 times.

Rape: 10 arrested 10 or more times; 9 arrested 7 or 9 times; 32 arrested 4 to 6 times; 52 arrested 1 to 3 times.

Robbery: 36 arrested 10 or more times; 50 arrested 7 to 9 times; 83 arrested 4 to 6 times; 117 arrested 1 to 3 times.

Burglary: 126 arrested 10 or more times; 81 arrested 7 to 9 times; 139 arrested 4 to 6 times; 252 arrested 1 to 3 times.

Aggravated assault: 53 arrested 10 or more times; 37 arrested 7 to 9 times; 81 arrested 4 to 6 times; 167 arrested 1 to 3 times.

Carrying deadly weapons: 47 arrested 10 or more times; 31 arrested 7 to 9 times; 85 arrested 4 to 6 times; 157 arrested 1 to 3 times.

MINIMUM WAGE BILL

Mr. GLENN ANDREWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. GLENN ANDREWS. Mr. Speaker, the small farm, small business destruction bill commonly known as a minimum wage bill is being readied for unveiling next week for congressional consideration.

This is a bill to phase out all little businesses and the jobs that go with them and turn production over to the great corporations and their counterparts, the great unions.

The icing on this cake, the lure on this barbed fishhook, the blandishment behind this cynical seduction is a pay raise for the lowest paid employee.

While the administration dabbles in the great steel negotiations and takes public credit for keeping the pay raise within the bounds of its own criteria called productivity, it now proposes by law to require all small employers to forget productivity and pay or get out of business.

The final result of this governmental alchemy will be unemployment and inflation.

Is a Congress devoted to the elimination of human needs about to create the needs themselves?

APPRECIATION TO MEMBERS

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I have asked for this moment that I might be able to thank the many Members who took time out during these past busy weeks to send me their very thoughtful and friendly get-well-soon wishes.

It has been many years since I was last really ill, and I must admit that it is not a pleasant occupation. It was one of these virulent vicious viruses. I hope the Members will notice the onomatopoeia. It really caught up with me and laid me low. Only in these very last days have my legs felt like anything except spaghetti, but I am here. I am hale and hearty. I am ready to work and go on indefinitely.

Thank you all.

RECOMMENDATIONS OF THE AMERICAN BAR ASSOCIATION FOR CHANGES IN THE INTERNAL REVENUE CODE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. MILLS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MILLS. Mr. Speaker, today I have introduced a bill, H.R. 11450, at the request of the American Bar Association, representing the bar association's approved recommendations for changes in the Internal Revenue Code.

I am introducing this bill to make the recommendations of the American Bar Association more readily available to students of taxation. I have not had the opportunity to review, and the congressional staffs have not had the opportunity to review, all of these recommendations and, therefore, my introduction of this material is not intended as an endorsement of these proposals. However, I would like to commend the American Bar Association for its efforts to improve the Internal Revenue Code and to give assurances that these proposed changes will be carefully studied.

The American Bar Association has prepared an explanation of its proposed amendments to the code which has been printed up as a committee pamphlet and is available to interested parties at the offices of both the Committee on Ways and Means and the Joint Committee on Internal Revenue Taxation.

PRESIDENT JOHNSON'S NEW CONFLICT OF INTEREST REGULATIONS SHOULD APPLY TO WHITE HOUSE PERSONNEL AS WELL AS GS-1 CLERKS

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. WIDNALL. Mr. Speaker, last Friday, responding to an order from President Johnson, the Civil Service Commission announced sweeping regulations intended to stamp out conflicts of interest resulting from the private investments and "moonlight" employment of Government workers. Under these new rules, a GS-1 clerk will have to justify the ethics of even such an activity as driving a cab on his day off to eke out his living.

However, the same requirements do not seem to apply to the U.S. cultural czar firmly entrenched inside the White House behind a conflict of interest as tall as the Empire State Building, which he once owned a piece of. Two weeks ago, during the debate on the makeshift Federal arts bill, I challenged the probable conflict of interest surrounding Roger L. Stevens, the Broadway producer and real estate operator, who rules the U.S. cultural roost as the President's Special Assistant on the Arts, as chairman of the widely criticized Cultural Center and soon, according to press reports, to be named as head of the $30-million Federal Arts Endowment.

Mr. Steven's reactions were prompt and revealing, but not revealing enough. He immediately resigned from the board of the National Symphony, one of the conflicting posts I listed. In his letter of resignation he admitted that my remarks led him to do so and acknowledged the probable conflict. Curiously, he has not resigned from the Metropolitan Opera board, and has told the New York press he has no intention of doing so.

Yet, here is where an apparent conflict can readily be demonstrated. Mr. Stevens has, according to press reports, handed out to the Met $300,000 of the interest earned on money donated to the Kennedy Cultural Center. The opera company is using these funds to finance traveling productions. Some of these productions will play Washington next spring at the National Theater, which Mr. Stevens' City Investing Co. controls through a holding corporation leasehold. Associated with Mr. Stevens in City Investing is Robert Dowling, who serves in Washington as chairman of the Advisory Board of the Kennedy Center.

The Stevens theatrical productions, which he counts in the hundreds, could be considerably enriched by playing the national circuit of shopping center playhouses that Mr. Stevens proposes to build with the new Federal arts handouts of money. Once again I urge that we require Senate confirmation of his appointment or we may be faced at every supermarket with such cultural contributions as "Mary, Mary," and "Cat on a Hot Tin Roof" with residual interest to the producer.

The Stevens biography, as turned out by his own press agents, makes a lively conflict-of-interest drama, far more intriguing than the commercially successful plays in which he owns an interest. I include it with my remarks and it speaks eloquently for itself. Also included is an article from Variety magazine dated September 29, 1965.

BIOGRAPHY OF ROGER L. STEVENS

Roger L. Stevens, appointed by President Kennedy on September 2, 1961, to the Chairman of the Board of Trustees of the National Cultural Center, is not only a leading businessman but is also one of America's most successful theatrical producers.

Among the more than 100 plays he has either produced or coproduced are "A Man for All Seasons," "Five Finger Exercise," "West Side Story," "The Caretaker," "A Far Country," "Mary, Mary," "The Visit," "Best Man," "Pleasure of His Company," "Time Remembered," "Major Barbara," "Cat on a Hot Tin Roof," "Bus Stop," "Bad Seed," "Sabrina Fair," "Tea and Sympathy," "The Fourposter," and many others which have consistently been among the 10 best plays of the year.

His business activities, largely in real estate, have included some of the Nation's most important projects. He was, for instance, head of the syndicate which purchased the Empire State Building in 1951. He is a director of the City Investing Co. and other corporations, as well as chairman of the board of University Properties in Seattle and of Davidson Bros. midwest department store chain. His business activities encompass numerous projects of similar magnitude.

Apart from being one of the country's top producers, his additional activities in the theater include being president of the Producers Theater, president of the Phoenix Theater, past president of the New Dramatists Committee. He is also a member of the executive committee of the American Shakespeare Festival and Academy, treasurer of ANTA, member of the Board of the Metropolitan Opera Co., etc.

He was born in Detroit, Mich., on March 12, 1910. After attending school in Ann Arbor, he was graduated from the Choate School in 1928 and attended the University of Michigan. His honorary degrees include doctor of humanities at Wayne State University and doctor of humane letters at Tulane University.

Mr. Stevens, as Chairman of the Board of Trustees of the National Cultural Center, expresses the philosophy that the Center is a national movement to encourage the performing arts throughout the Nation. The structures, which will cost $30 million, will

be erected in Washington, D.C.—a symphony hall, a theater, and a hall for opera, ballet, and musical comedy—and will represent the cultural movement throughout the country.

To further this widespread plan there will be, in future years, regional facilities for the discovery and development of local talent in all the performing arts. Many of these new talents will thereafter enjoy the public platform afforded them by the National Cultural Center in the Capital.

[From Variety, Sept. 29, 1965]

DENIES CONFLICT, BUT STEVENS RESIGNS ONE U.S. CULTURAL POST

WASHINGTON, September 28.—Roger Stevens, President Johnson's man for all seasons in the arts field, has resigned his chair on the board of Washington's National Symphony Orchestra—but he denied his resignation has any special significance.

During House debate on the National Foundation on the Arts and Humanities bill, which has since passed, Representative ALBERT H. QUIE, Republican, of Minnesota, raised the possibility of Stevens having a conflict of interest. QUIE noted that Stevens was on the boards of the National Symphony and New York's Metropolitan Opera Co., as well as having financial interests in play productions.

Since Stevens already has plugged for building small playhouses in shopping centers around the country with the aid of Federal grants, QUIE said, Stevens "if only inadvertently" could profit from having plays produced in the shopping centers and also could aid in dispensing money to the National Symphony and the Metropolitan. Among Stevens' jobs are heading the John F. Kennedy Center for the Performing Arts and the National Council on the Arts. In the latter capacity, he would become chairman of the National Endowment for the Arts under the new Federal aid to the arts bill.

Stevens told Variety Monday, Sept. 27, that talk of a conflict of interest was "1 of about 10 reasons" for dropping the National Symphony role. He completely discounted the conflict of interest intimations and said he would not withdraw from his other cultural activities. He intends to stay on the Metropolitan board, he said.

COUNTRIES SHOULD NOT HAVE TO PAY TO GET SUGAR QUOTAS

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FINDLEY. Mr. Speaker, Argentina officials have voiced criticism of the sugar quota arrangement which they interpret as requiring the hiring of the services of a lobbyist.

Mr. Walter Pincus, writing in the October 1, 1965, edition of the Washington Evening Star gives the following account of Argentina's reaction to the way the sugar bill has been handled in the past.

A TALE OF SUGAR QUOTAS WITH LOBBYING, WITHOUT

The experiences of Venezuela and Argentina in seeking U.S. sugar quotas—one with the aid of a lobbyist and one without—illustrate the maneuvering around the complex sugar legislation.

Under the Johnson administration bill—which set quotas based on sugar shipments to the United States during 1963 and 1964—Argentina was to receive an annual quota of some 63,000 tons. When the House Agriculture Committee announced its quota determinations on September 16, Argentina was cut back to 21,500 tons.

Argentina has never employed a Washington sugar lobbyist, the only country out of 30 given a quota under the House committee bill that made no official representation before that group.

According to Argentina's agricultural counselor, Enrique Gaston Valente, his country "thinks it is entitled to claim a quota without the government having to pay anyone."

Venezuela, on the other hand, 3 months ago hired Washington attorney Charles Patrick Clark—at $50,000 a year for 2½ years—to represent its sugar industry in seeking a quota. Clark appeared before the House agriculture panel and asked for a quota of 40,000 tons.

Under the administration bill, Venezuela was allocated only 2,676 tons. Where Argentina had shipped some 250,000 tons of sugar into the United States during 1963 and 1964—the 2 key years—Venezuela's sugar exporting industry had sent just 3,500 tons.

However, when the House committee announced its quotas, the Venezuelan share was jumped to 30,809 tons, almost 10,000 tons more than Argentina.

According to Representative PAUL FINDLEY, Republican, of Illinois, who wants to amend the sugar bill to cut out lobbying on behalf of foreign sugar interests, the increase in sugar quota given Venezuela by the House committee will be worth over $9 million in quota premium alone during the 5-year term of the bill.

The quota premium represents the difference between the artificially maintained high price of U.S. sugar and the freely fluctuating world market price. At present, with world prices depressed below 2 cents a pound and the U.S. price at 6.5 cents a pound, the quota premium runs about $70 a ton, according to FINDLEY.

The Argentines believe they lost out in the House committee because they did not hire a lobbyist. In 1962, when they were again the only country without a lobbyist, they were cut out from the bill altogether. They finally were given a special 20,000-ton quota in an amendment to another sugar bill after a flurry was raised in the Senate over lobbying.

This year, before the sugar hearings in the House were announced, Argentine Ambassador Norberto M. Barrenechea went to see Agriculture Committee Chairman HAROLD D. COOLEY, Democrat, of North Carolina, to promote his country's quota. Visits had already been made by Argentine representatives to the State and Agriculture Departments—which determine the administration quota policy.

The Ambassador was told, according to Valente, that "any private American representative could address the House committee but not officials of governments."

Both before and after the visit to COOLEY, the Argentines had been approached, Valente said, by "public relations officers and lawyers who said they were experienced in the problems of sugar."

In Clark, the Venezuelans found a lawyer with close political connections to the Democratic Party, particularly as a contributor of campaign funds.

The Venezuelans' first payment to Clark of $25,000 was made—according to Clark's foreign agent report on file with the Justice Department—on June 24. At least one other sugar lobbyist has pointed out that on the night of June 24, the Democrats held their $100-a-plate congressional fund-raising dinner.

Asked if there was a connection between his payment and the fund-raising dinner, Clark said yesterday it was "pure coincidence." He also said he gives no interviews. He would not discuss his representation of the Venezuelans or how he got them as clients.

Clark also refused to comment on another matter. His Justice report showed, under his agreement with the Venezuelans, he was to receive a second payment of $25,000 on January 5, 1966. According to his filing, however, the Venzuelans already have made three additional payments totaling another $22,500 since the initial $25,000 on June 24.

Clark's report shows receipts of $47,500 in a 3-month period but lists no expenses as being made on behalf of the Venezuelans.

In the 1960 presidential campaign, Clark is listed by Congressional Quarterly as having contributed $7,000 to the Democrats. In 1963 he is reported giving the Democratic National Committee $5,000 and last year his contributions ran at least $2,000.

A former staff member of the Truman Senate Investigating Committee, Clark's annual dinner to honor the former president is a well-publicized affair.

Clark has had little, if anything, to do with sugar. He and Franklin D. Roosevelt, Jr., briefly represented the late Dominican Republic dictator, Rafael Trujillo.

In discussing the situations of Argentina and Venezuela, House Agriculture Committee General Counsel John Heimburger said they proved that the administration's "slide-rule method (of allocating foreign quotas) doesn't work."

In considering Argentina—which Heimburger said had only a "temporary" 1962 quota—the committee placed its emphasis on "reliability" as a sugar producer. The Argentines had one good sugar crop, he maintained, and did not have enough to insure their ability to fill the administration's quota.

With Venezuela, however, the committee emphasis was on trade balances rather than reliability. "Venezuela is our best customer," Heimburger said, echoing one of Clark's points during the hearings.

SUGAR AMENDMENTS DO NOT JEOPARDIZE LONGSHOREMEN'S JOBS

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FINDLEY. Mr. Speaker, like myself, every Member of the House of Representatives probably received the following telegram dated October 1 from Mr. Thomas W. Gleason, president, International Longshoremen's Association, 17 Battery Place, New York, N.Y.:

NEW YORK, N.Y.

As president of the International Longshoremen's Association I urge you in behalf of all our members who have a vital interest in imports of raw sugar to support H.R. 11135 with committee amendments.

However, we urge that you oppose the Findley amendment reimposing import fees. The reimposition of import fees could adversely affect imports of sugar in ports served by our members and it would seriously jeopardize passage of essential sugar legislation.

THOMAS W. GLEASON,
President, International Longshoremen's Association.

Unable to reach Mr. Gleason by phone, I sent him a reply. I think the Members might like to see a copy of my answer:

Mr. THOMAS W. GLEASON,
President, International Longshoremen's Association, New York, N.Y.:

Your telegram of October 1, urging Members of Congress to oppose my amendment which would reimpose an import fee on sugar is based on erroneous information.

The sugar program is complicated and I can readily see how misunderstanding could occur. I am also aware that powerful forces which have special vested interests to serve are attempting to use the complexity of the program as a screen behind which to spread misleading information. It may well be that you have inadvertently accepted some of this self-serving propaganda as being accurate.

The truth is the legislation as presently written would permit profiteering in foreign sugar on an unconscionable scale, and it must be amended. For example, it would give Haiti's brutal dictator, Dr. Francois Duvalier, access to over $10 million in loot financed by the American people. All told, the bill gives countries with U.S. quotas about $280 million a year in pure profit.

My amendment would extract about $210 million of this profit annually and put it in the U.S. Treasury.

Obviously those who stand to be enriched by the profiteering will go to great lengths in attempting to kill my amendment, and I fear some of them have tried to use you to their advantage.

The import fee provided in my amendment would not adversely affect the volume of sugar brought to U.S. ports in any way, shape, or form. Jobs of longshoremen would therefore not be impaired in anyway. I challenge you to produce the statement of any reputable authority on sugar legislation expressing a contrary opinion.

Under my amendment, countries with U.S. quotas would still have a substantial price advantage over other markets. At present prices, for example, the advantage would be more than $17.50 per ton over the world price. When you realize that the world price is about $40 a ton, I am sure you will agree a premium of $17.50 is sufficiently attractive to assure that all countries will eagerly fill U.S. quotas to the limit. Speculation that the amendment would jeopardize passage of essential sugar legislation is therefore pure hokum. The only jeopardy would be to the growth-rate of sugar-baron bankrolls.

My amendment would benefit taxpayers to the tune of more than $1 billion during the 5 years the legislation would cover, and it would hurt nobody but the sugar barons.

I regret your sources of information have misled you so badly. I appeal to you, a successful American leader with wide influence, to urge support for my amendment.

PAUL FINDLEY,
Member of Congress.

POWERFUL FORCES OPPOSE FINDLEY AMENDMENTS

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FINDLEY. Mr. Speaker, at my suggestion, the Rules Committee has made in order two amendments to H.R. 11135, the proposed revision and 5-year extension of the Sugar Act. These amendments would improve tremendously an otherwise very bad bill. If they are accepted by the House, I will vote affirmative on final passage and will urge my colleagues to do the same.

As presently written, the foreign-quota provisions are wide open to profiteering. At present prices, the pure profit in them comes to $280 million a year, or $1.4 billion for the 5-year term. One of my amendments would return three-fourths of this loot to the U.S. Treasury. The other would put out of business the unsavory group of lobbyists who try to peddle legislative influence in Washington for foreign sugar interests.

Consequently, powerful heavily financed forces are attempting to defeat my amendments. This is my attempt to clarify the facts.

ANTISUGAR LOBBY AMENDMENT

Page 12, after line 14:

(h) Effective January 1, 1966, and notwithstanding any other provision of law, the quota of any country shall be reduced to zero for the balance of the period covered by this act if any authorized person appearing or working in the interest of such country in regard to sugar legislation is registered or required to be registered under the Foreign Agents Registration Act; except that the quota shall not be reduced below any treaty obligation.

In the proposed bill—as in the past—quotas are assigned to foreign governments, not to private firms. Therefore, the penalty of my amendment would operate against the government. It would reduce to zero the government's quota if it authorizes a private individual or firm to serve as its agent in regard to U.S. sugar legislation.

It would not impair rights—constitutional or otherwise—of U.S. citizens. No penalty would operate against individuals, foreign or United States. The only penalty in it—reduction of quota to zero—would operate only against the foreign government.

It would not handicap foreign governments in presenting facts to the U.S. Government. Operating through customary and proper diplomatic channels, they could have unlimited opportunity to present their case. Congress would have full access to this information, through the U.S. State Department, and through other agencies of our Government—such as the Department of Commerce, Department of Labor, Agency of International Development, to name a few.

It would not prevent foreign governments and foreign sugar interests from employing U.S. firms and individuals to deal with nonlegislative aspects of sugar problems—such as marketing, transportation and processing.

It would not permit unscrupulous parties to jeopardize quota entitlement. Quota cancellation would occur only if the party filing under the Foreign Agents Registration Act, or required to file, is specifically authorized by the foreign government to represent it in regard to sugar legislation.

It would not apply to lobbying in regard to U.S. sugar interests. It is clearly limited to lobbyists required to register as foreign agents.

It would put out of business the lobbyists—some of them with very unattractive records—who serve no legitimate purpose but who try—or pretend to try—to peddle influence in behalf of quotas for foreign governments. In several instances, these lobbyists have tried to mislead and deceive Congress and/or their clients. Three of them, until recently, got fees contingent on the size of quotas. Two of them were involved in using foreign government funds to contribute to congressional campaigns in 1960. None of them provide worthwhile information to Congress which is not readily available from official sources.

IMPORT FEE AMENDMENT

Page 21, strike out lines 8 and 9 and insert in lieu thereof:

SEC. 9. Section 213 of such Act is amended to read as follows:

"SEC. 213. (a) As a condition for importing sugar into the continental United States pursuant to sections 202(c) and 204 of this Act, an import fee shall be paid to the United States, which fee shall be 75 per centum of the amount which the Secretary determines from time to time will approximate the amount by which a domestic price for raw sugar at a level that will fulfill the domestic price objective set forth in section 201, exceeds the prevailing world market price for raw sugar (adjusted for freight to New York, and most-favored-nation tariff). The fees provided for in this paragraph shall be imposed on a per pound, raw value, basis and shall be applied uniformly except that the import fee imposed on any direct-consumption sugar shall be one-half of one cent per pound more than the import fee imposed on raw sugar under this paragraph. Such fees shall be paid by the person applying to the Secretary for entry and release of sugar. Such payment shall be made in accordance with regulations promulgated by the Secretary. The Secretary shall promulgate regulations permitting any importer of sugar to apply for a quota set-aside, furnishing such security as the Secretary may require, which will fix the import fee for any sugar under his control to be imported at any time during the calendar year at the rate then in effect for such calendar year. The Secretary shall determine, from time to time, the rate of import fee and the initial such determination shall be made by October 1 in each year for the succeeding calendar year, except for the calendar year 1966, in which case such determination shall be made at the earliest practicable date.

"(b) The funds collected as import fees by the Secretary pursuant to the provisions of this section shall be covered into the Treasury as miscellaneous receipts."

History: A similar import-fee was first imposed by President Eisenhower against sugar imported from the Dominican Republic in 1960. A 100-percent fee on all imports was urged by President Kennedy in 1962. Finally enacted was a compromise which imposed a 100-percent fee on Cuban quota temporary allocation, with a lesser fee on other foreign sugar. Although the present act runs until December 31, 1966, this import fee arrangement was in effect only for the balance of 1962, 1963, and 1964. Under administrative ruling the foreign quotas were extended through 1965 but the import fees were not—USDA general counsel claimed authority for the quotas but not the fees.

Consequently, foreign quotas this year are yielding about $200 million profit

never anticipated by Congress. In October 1964 the administration announced that an import fee was the sine qua non of new sugar legislation. On March 29, the domestic sugar industry issued recommendations for new sugar legislation. Among them was a 50 percent import fee, or 1 cent a pound, whichever is lower. Except for the amount of fee, the language for my amendment was taken almost verbatim from the industry recommendation. Later, the administration changed its mind, dropping the demand for an import fee. Why? Chairman COOLEY of the Agriculture Committee gives credit for this switch to a sugar lobbyist, Attorney Arthur L. Quinn—see page 182, hearings.

At 75 percent, my proposal is a compromise between the 100-percent import fee sought by the Kennedy administration and the 50 percent one originally embraced by the Johnson administration.

At present prices, it would place in the U.S. Treasury $210 million annually, or $1,050 million during the 5-year term of the legislation. Quota countries would retain 25 percent of the quota premium. At present prices, the 25 percent would be $17.50 a ton—a substantial advantage when one considers that the world price of sugar is about $40 a ton.

It would not change U.S. sugar prices. The benefit to the American people would be in the form of higher U.S. Treasury receipts—$210 million a year—instead of lower prices.

It would not change the volume of imports. The division of domestic-foreign quotas would be unchanged. Foreign countries would have ample incentive—$17.50-a-ton premium, at present prices—to fill U.S. quotas to the limit.

It would not force sugar prices up, if the world price increases. If world prices increase, the import fee would go down proportionately. And vice versa. If the world price would rise as high, or higher than the U.S. price, the import fee would be suspended automatically.

It would reduce to one-fourth the pure profit presently enjoyed by foreign sugar interests. At present prices, the $210 million annually it would put in the U.S. Treasury would be a 100-percent gain for our balance of payments.

It would reduce the tendency toward overproduction in foreign countries. The domestic sugar industry—representing the Domestic Beet Sugar Industry, Mainland Cane Sugar Industry, Hawaiian Sugar Industry, Puerto Rican Sugar Industry, and U.S. Cane Sugar Refiners' Association—made this point on March 29 of this year in arguing for an import fee similar to one I propose. Full text of Domestic Sugar Industry statement recommending an import fee appears in the RECORD of September 30, page 25713.

THE HUMAN INVESTMENT ACT OF 1965

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. QUILLEN. Mr. Speaker, on September 30, 1965, I introduced the Human Investment Act of 1965, 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 express some of my views in regard to this matter, I am inserting at this point in the RECORD a news release which I made to all news media in my district after introducing H.R. 11358:

WASHINGTON, October 1, 1965.—Congressman JAMES H. (JIMMY) QUILLEN has introduced legislation to spur job training by the American free enterprise system.

This legislation, titled "The Human Investment Act," provides a 7-percent tax credit to employers for certain expenses incurred in training their employees in new job skills.

QUILLEN is the fourth ranking minority member of the House Rules Committee, and earlier this year introduced an income tax reduction bill which would increase the exemptions from $600 to $1,200 for a spouse and dependents.

"In conducting 11 open doors so far this year, I have found a resounding need for such legislation," QUILLEN said.

"Hundreds and hundreds of men and women have come to talk with me about employment and employment opportunities.

"I feel that by allowing this 7-percent tax credit that it will permit employers to open the doors to many of these people, and will be a healthy thing for not only the people in my district, but all over the United States as well," QUILLEN commented.

QUILLEN will take his open door to Johnson County this Saturday, October 9, for an all day session at the courthouse in Mountain City. Hours will be from 9 a.m. to 5 p.m., and the people will be seen on a first come, first served basis.

Congressman QUILLEN, as he did during his first term when he found a need for a revision of the Federal Highway Act and amended it to meet that need, has found a crying need for such legislation as a result of his open doors and contacts through his office.

"This legislation is to solve a pressing problem. It will provide the people with honest-to-goodness job opportunities and would eliminate poverty without political gimmicks," the first district Congressman emphasized.

"Three years ago the Congress enacted a 7-percent tax credit to spur investment in modern plant machinery and equipment," QUILLEN said. "What the Congress failed to realize at that time is the fact that the most important kind of capital a nation has is its human capital—the skills, experience, and intelligence of its working men and women."

The Human Investment Act specifically gives employers incentives to broaden and expand apprenticeship training, on the job training under the Manpower Development and Training Act, cooperative work-study programs, tuition refund programs, and expenses of organized group and classroom instruction.

"This bill would remove an impediment to an employer who wants to expand his training program and encourage him to initiate new programs for his employees. By participating in advanced training, an employee can improve his skills and thus improve his job security and earning ability," Congressman QUILLEN said.

"This approach places the responsibility for increased job training where it belongs—on the Nation's greatest job trainer, our private enterprise system. As those presently employed move up to better jobs through more training, those now unemployed because of insufficient skills can be hired to take their places. The Human Investment Act offers new hope, too, to workers whose jobs are threatened by automation or by shifting defense contracts," Congressman QUILLEN added.

The Human Investment Act's language is parallel to that of the investment credit provisions of the Revenue Act of 1962, amended in 1964. By requiring that a trainee be on the employer's payroll for at least 3 months after the completion of training (except in case of death, disability voluntary separation, or firing for cause), the bill helps to insure that trainees will be put on the payroll after being trained. This provision meets an often-heard objection to Government-run training programs: that the trainees may not be able to find work even after completing training. In addition, the tax credit approach makes the creation of new Government regulations, redtape, and bureaucracy unnecessary.

"The major premise of this bill," QUILLEN noted, "is that private business has, over the years, learned how to obtain the most results per training dollar, and should now be encouraged to expand its training programs to meet the serious national need for skilled labor.

"While it is undoubtedly possible to further improve this measure in the appropriate committees of the Congress," QUILLEN concluded, "the present bill is a sound and major step in the right direction. It will help to meet a serious and growing national need in the most efficient way, and in a way most compatible with the American tradition of private enterprise."

THE ELIMINATION OF ALL OUTDOOR ADVERTISING—ITS EFFECT ON THE TRAVELING PUBLIC AND THE ECONOMY OF THE NATION

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CRAMER. Mr. Speaker, I urge the Members of this body to seriously consider the effect the elimination of all outdoor advertising as provided in the highway beautification bill will have on both the traveling public and the economy of the Nation.

I believe that all will agree that there are many examples of ugly signboard clutter and that these offensive signs should be eliminated. Nevertheless, there are many miles of highways in the Nation where signs do not distract from scenic beauty but serve the very necessary function of providing information desired by the traveling public.

Any motorist traveling in unfamiliar territory needs information concerning facilities for camping, lodging, eating, or vehicle service or repairs, and his interests in the area through which he travels are promoted if he can readily obtain information concerning natural phenomena, historic sites, places of entertainment, areas of natural beauty, and the like. A motorist seeking a place to spend the night needs to know more than the

name of a particular hotel or motel. He also wants to know whether a particular establishment provides such facilities as television sets, a swimming pool, a restaurant at a convenient location, and other things. A motorist whose automobile gas tank is nearly empty wants to know, not only that a filling station is available, but also what brand of gasoline is available, whether the filling station is open for business at the time the motorist needs service and how far the filling station is from the main traveled way. The complete elimination of outdoor signs, displays, and devices, except for "on premise" signs and signs within commercial and industrial areas, will deprive the motoring public of a source of information which, at times, it may desperately need.

On the other hand, the elimination of signs, displays, and devices, except "on premise" signs and signs within commercial and industrial areas will no doubt lead to the bankruptcy of thousands of small businesses which are dependent upon the patronage of highway users for their existence. No commercial enterprise which depends upon the travelers on a particular highway can survive if those travelers are not informed of the existence of the enterprise. I do not believe that the Congress of the United States should enact laws which would destroy the means of livelihood of thousands of persons under the guise of promoting highway beautification.

Nor do I believe that the authority of the Secretary to provide for signs within the right-of-way of highways on the Interstate System will solve this problem. Certainly it will not solve the problem for enterprises which rely for their patrons on travelers on the Federal-aid primary system. It will not solve the problem on the Interstate System either unless the billboard clutter is transferred to the highway right-of-way from areas adjacent to the system.

OTHER OBJECTIONS

Inadequate provision for payment of just compensation: The bill requires payment of just compensation for the removal of junkyards and outdoor advertising signs, displays, and devices which are in existence on various dates set forth in the bill. However, no provision at all is made for payment of just compensation for the deprivation of the right to operate junkyards or the right to erect and maintain outdoor advertising signs, displays, and devices in the future. Subject to State and local zoning ordinances, and other exercise of the States police power, the owners of real property adjacent to highways have a right to grant leases or to use their property for the operation of junkyards and the erection and maintenance of outdoor advertising signs, displays, and devices. This may be a valuable right. Many farmers and other persons throughout the country receive income from advertising leases.

No provision is made in the bill for payment of compensation for the deprivation of this right. If compensation is to be paid, it would have to be paid entirely by the States, with no Federal participation.

In some States, because of constitutional limitations, the law may be such that this right cannot be taken away from owners without payment of just compensation, at least in areas adjacent to existing highways. In other States, for political or economic considerations, the States may decide that just compensation should be paid even though the State constitution permits the regulation of such rights without compensation. In either case, Federal funds would not be available to pay any part of such compensation.

There is no way of knowing what the cost of eliminating these rights may be. It may be substantial. It is entirely possible that the cost of purchasing these rights, together with the other costs which would have to be borne by the States in carrying out the programs to be instituted by this act, could substantially exceed the amount of Federal-aid highway funds to be withheld from States who do not comply. In any State where this is the situation, commonsense may dictate that the State elect not to comply with the provisions of the act and to suffer the penalty of losing 10 percent of its Federal-aid highway funds rather than to sustain a larger expense of complying with the act.

Complete lack of information as to cost of the programs: The bill authorizes the appropriation of a total of $320 million for fiscal years 1966 and 1967 to carry out the programs which will be launched by this bill. However, no one knows what the ultimate cost of these programs may be and no detailed estimate of the cost of these programs to the States and to the Federal Government has been furnished to the Congress. As a matter of fact, it is quite clear that the administration has no idea of the ultimate cost since the bill requires the Secretary to make a detailed estimate of the cost of carrying out the provisions of this act and to submit such estimate to the Congress not later than January 10, 1967.

The United States is faced with ever-increasing financial burdens. Our commitments in Vietnam and other places, our defense and space exploration programs, and our massive domestic spending programs already impose a severe load upon the taxpayers. Under these circumstances, it seems absolutely absurd to undertake an additional program, the ultimate cost of which is unknown but certain to be massive. If this had been a fully thought out and well reasoned legislative proposal, the administration would have been able to furnish the Congress with a reliable estimate of cost.

Perhaps worst of all, no one knows what the economic impact of these programs will be on private commercial and industrial enterprises.

TREASURY SECRETARY FOWLER'S ACHIEVEMENT AT SEPTEMBER IMF MEETING

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. ELLSWORTH] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, the best comment I have seen anywhere in the press on Treasury Secretary Fowler's achievement at the September IMF meeting is the editorial in the October 2 issue of Business Week. The Business Week editorial exactly catches the tone and spirit, as well as the concrete point, of what happened at the IMF meeting. I commend the editorial to my colleagues in the Congress, and to all who read the RECORD:

REALISM ABOUT WORLD MONEY PROBLEMS

The United States won a significant victory at this week's meeting of the International Monetary Fund. As a result of the patient groundwork that had been done by Treasury Secretary Fowler, the 10 major trading nations of the free world agreed to set up a formal study of international monetary reform with orders to make a report by next spring.

With this decision, the discussion of ways to strengthen the world's monetary system moves out of the area of academic brainstorming and into hard bargaining on negotiable issues. In that bargaining, Secretary Fowler and other U.S. officials will have their work cut out for them.

On the whole, the mood of the delegates who convened in Washington this week was healthily realistic. There was none of the euphoria, none of the easy confidence that everything would work out happily in the end, that has marked some of the previous meetings. Yet neither was there calamity howling about the future of the dollar and its supposed fall from grace as the world's most wanted currency. More than at any time in the past, there was a willingness to face up to the world's monetary problems and to determine what realistically can be expected to be done about them in the future.

At the moment, there is no immediate threat of a crisis in the international payments system. Nevertheless, the potential weaknesses are clearly recognizable. The strength of the dollar is not in doubt, but confidence in it would go to pieces rapidly if the U.S. balance of payments should swing back into a big deficit again. Sterling at present is in fairly good standing, but it is far from invulnerable, and the overhang of sterling balances held by foreign bankers still has to be dealt with. Stability in world finances seems to be attainable, but it is by no means assured.

In this atmosphere, it makes eminently good sense for the major trading nations to proceed with a study of ways of strengthening the monetary system and to examine some of the proposed mechanisms that would ease the burden the dollar and the pound now are carrying in their role as reserve currencies.

It is encouraging that most of the major financial powers seem ready to go ahead with such consultations. It would be a mistake, however, to conclude that agreement will come easily.

Some of the European nations see no need to increase monetary reserves over the next few years. They contend that even if the United States runs a surplus in its international transactions, there will be no decline in the liquidity available to them and no pressure on their domestic economies.

In the face of this resistance, Secretary Fowler very rightly has tried to create a sense of urgency, and he has pushed hard for the establishment of a preparatory commission to study the creation of new monetary reserves on a contingent basis—if, as, and when needed. If he has not managed to enlist the enthusiastic support of everyone, he has at least forced the subject into the negotiating stage.

Unless studies and reports are translated into action, however, the threat of a crisis will continue to hang over world trade. And the time available for study may be a good deal shorter than some of our trading partners think.

WHERE U.S. INTERESTS LIE

The postwar mechanism for settling international balances—with the dollar as its hub—has worked remarkably well. To abandon it now and try to set up new machinery—or to attempt to return to the old-fashioned gold standard as General de Gaulle sometimes seems to be suggesting—would be sheerest folly. But to try to coast along indefinitely without revising the present machinery would be equal folly.

World trade in the postwar period has been financed by a continuing outflow of dollars from the United States. This deficit in our payments balance some time ago reached the point where it was eroding confidence in the dollar. Now, somewhat belatedly, the United States has undertaken to close the gap and keep it closed. With the end of the days of dollar outflow, the world will need a new mechanism for the orderly creation of reserves to support expanding trade.

Inevitably, the final decision on the creation of these new reserves must be made by the powerful trading nations—which include the so-called group of 10. They have both the economic power and the responsibility that comes with economic strength. But their decision will have to be made with an eye toward the needs of the world as a whole, particularly the developing countries, which have a legitimate stake in stability and expanding trade.

The United States, as it enters the negotiating sessions must be mindful of the needs of the rest of the world. It must be equally alert to its own interests. Under no circumstances should it consent to any arrangements that will downgrade the dollar or subject our domestic economy to arbitrary restrictions. We still are the strongest country in the world, and the dollar is the strongest currency. We must bargain from this strength. And to maintain our strength we must push ahead relentlessly to close the balance-of-payments gap and put the standing of the dollar beyond reproach.

WHAT DO YOU THINK? SHOULD A $500,000 PROFIT IN LESS THAN A YEAR'S TIME DESERVE FEDERAL SUPPORT?

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. WIDNALL. Mr. Speaker, bill H.R. 7984 was supported by me. A number of provisions in the law, such as the no down payment Federal Housing Administration loans for veterans, the rent certificate plan for private accommodations for low-income tenants, the establishment of 3-percent loans for college and elderly housing loans and the continuation of these programs, the increase in the amount of authorization of 3-percent loans for rehabilitations of homes and small businesses in urban renewal areas, were personally sponsored by me in advance of proposals made by the administration. I am, and remain, most grateful for the support these provisions receive from both sides of the aisle and for their incorporation into the bill which became law.

I did not originate section 903 of H.R. 7984 which increases the grant level for preservation and development of open-space land to 50 percent of the acquisition cost. I did give the provision my support as a much-needed assistance to towns and cities in their attempts to preserve and develop their open-space needs.

Let me make it unmistakenly clear, however, that I believe the Members of Congress never intended that this provision should be used as a device for land speculators to reap unconscionable profits. Further, I am quite positive that the author of this provision never had any such intention.

Consequently, I was shocked to learn from a weekly newspaper, the Virginia Observer, that a piece of property listed on the tax rolls of Virginia Beach, Va., at $18,360 full value, and on which the owners paid the insignificant sum of $128.50 in real estate taxes when last assessed, had been approved for purchase, not in its entirety but 144 of 165 acres in the parcel, by the Virginia Beach Council for $522,000.

The city council has approved a price rise of over 3,200 percent, considering the present assessed value for tax purposes and the acreage the city council has now approved for public acquisition.

Mr. Speaker, land taxed at $112 an acre is being acquired for public use at $3,625 an acre. And after acquisition, this property, for which the Federal Government will be asked to pay 50 percent of the outrageous cost will be public property not paying 1 cent in taxes.

Mr. Speaker, I would like to know what the tax on the remaining 21 acres will be.

Mr. Speaker, in New Jersey we pay high real estate taxes. We are assessed at full value of our property. Still we have no quarrel with the State of Virginia assessing property at 40 percent. Virginia has a State income tax which we do not. We do object to our Federal tax dollars being used to create windfall profits. It is obvious that any property, on the tax rolls at only $18,360, with taxes of only $128.50, selling for $200,000 in February, on which an application for Federal assistance in the amount of $225,000 is based in August, and which is authorized by its city council for acquisition at a price of $522,000 in September, deserves a thorough investigation.

Mr. Speaker, I have brought these matters to the attention of Urban Renewal Commissioner William L. Slayton. I am placing in the RECORD my letter to Commissioner William L. Slayton and his prompt reply.

It has been brought to my attention that newspaper reports say the Commissioner plans no special investigation. I believe our correspondence speaks for itself and I have confidence that the Commissioner and his staff will give this particular application the most careful scrutiny and study. The Commissioner has written to say that he will keep me informed. I will do as much for the House.

In addition to my correspondence with Commissioner Slayton, I am also inserting in the RECORD copies of the stories appearing in the Virginia Observer through whose columns I first learned of the matter which I have detailed here.

Should a $500,000 profit in less than a year receive Federal support?

SEPTEMBER 20, 1965.

Commissioner WILLIAM L. SLAYTON,
Urban Renewal Administration,
Housing and Home Finance Agency,
Washington, D.C.

DEAR COMMISSIONER: Recently my attention has been called to two articles appearing in the weekly newspaper, the Virginia Observer, copies of which I am attaching. The articles appeared on August 27 and September 3, 1965, and detail a possible use of section 702(a) of the Housing Act of 1961 as amended by the Housing Act of 1965 which has to do with the preservation and development of open-space land.

This newly amended section of the national housing laws provides for 50-percent grants by the Federal Government for the acquisition and development of parks and other open space area by communities throughout the Nation. I supported this provision of the act, but at no time did I envision its use by land speculators seeking unjustified profits. I am certain that none of my colleagues, Republican or Democratic who supported the passage of the Housing Act of 1965, had any thought that the act would be put to such use.

The Virginia Observer reports that the piece of property in question, located in Virginia Beach, Va., was purchased for $200,000 in February and that the city's council has now authorized a portion of this same property to be acquired for $522,000. The Observer reports the total assessed value of the property as set by Virginia City to be only $18,360 and that the taxes paid as being only $128.50. These figures make fantastic the prices authorized for the sale of only 144 acres of the 165 acre tract. Further, not all of the 144 acres are reported as usable.

Inquiries of your office indicate that Virginia Beach has a request in for grants based on a $450,000 application. In view of the amount of Federal dollars involved and the sudden rise in the worth of the land, I think that an immediate investigation of the entire matter should be undertaken by your office.

I realize that the law being hardly a month old, your agency has probably yet to issue new and stricter regulations that will protect the public interest more than was thought necessary when the grants were for either 20 or 30 percent. This should not, however, keep you from investigating this particular case at once and making a report available to the Congress. I would be interested in hearing from you as soon as possible. Meanwhile, I am sending a copy of this letter and its attached articles to Congressman WILLIAM BARRETT, chairman of the Housing Subcommittee, as something the subcommittee itself should investigate.

Please advise me as to your course of action.

Very truly yours,

WILLIAM B. WIDNALL.

Enclosures.

HOUSING AND HOME FINANCE AGENCY,
URBAN RENEWAL ADMINISTRATION,
Washington, D.C., September 21, 1965.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR MR. WIDNALL: Thank you for your letter of September 20, 1965, calling my attention to the publicity regarding the proposed use of open-space land grant assistance for a 114-acre park in Virginia Beach, Va.

Your information and that contained in the clippings enclosed with your letter is in general agreement with a report we received on this matter last week. We are taking appropriate action now to determine the circumstances in this case, with particular reference to establishing the fair market value of the lands described in the application.

The status of the application is that it has not yet been approved, nor has any commitment been made to the city of Virginia Beach. Receipt of the application has been acknowledged, and a program number assigned to the project. The standard form of reply acknowledging receipt of open-space land applications includes consent to proceed with acquisition of any or all lands described in the applications, if such action is necessary to avoid loss of the land for open-space purposes. The letter states clearly, however, that such consent is not a commitment that the application will be approved, or that the land is eligible for Federal assistance, and that the sole consequence of the authorization is that the cost of acquiring such land will not be disallowed solely because it was acquired prior to the approval of the application.

Before any additional action is taken on the review of this application, we will require two professional, independent appraisals to be conducted on the property involved. In addition, our own real estate staff will review the appraisals and conduct such further inspection as may be necessary, including an examination of the property and real estate and other records relating to determining its value. Any grant that might be approved would be based upon a fair market value concurred in by us after this review and examination had been completed, regardless of the price the city had paid or was willing to pay for the land.

You will be interested to know that this general procedure for establishing value of open-space land has been made a part of the policies and requirements implementing the Housing and Urban Development Act of 1965, which are now in final draft form. Appraisals will be required in each instance, and the applicant informed of our determination of fair market value prior to payment of the grant. In no instance will the grant exceed 50 percent of the fair market value as determined by our real estate staff on the basis of professional appraisals included in the application.

I appreciate your providing me with your information and the newspaper clippings, which are returned herewith, and will be happy to inform you of the action taken in this matter.

Sincerely yours,

WILLIAM L. SLAYTON,
Urban Renewal Commissioner.

Enclosures.

[From the Virginia Observer, Aug. 27, 1965]

TAXPAYERS TO PAY $322,000 6 MONTH PROFIT—VIRGINIA BEACH COUNCIL BUYS $200,000 LAND FOR $522,000

(By Gordon Dillon)

VIRGINIA BEACH, VA.—If the information received and uncovered by this newspaper is correct, the people of Virginia Beach and the people of the United States are being subjected to the greatest land grab since Grant took the Dakota territories away from the Indians.

At this week's session of the Virginia Beach City Council the purchase of a 144 acre ocean front public park was approved. For its foresight the Virginia Beach Council has been commended.

City purchasing agent, Carroll G. Clough, told the city council that the land, located south of Sandbridge, could be bought for $522,000 from the American Land Corp.

However, according to records and information from deed books and the city treasurer's office, the same property was bought by American's subsidiary company—Washington's Forrest, Inc., in February of this year for only $200,000.

In other words, the land purchased by the company 6 months ago for $200,000 can now be sold to the taxpayers of Virginia Beach for only $522,000.

A net profit over the 180 day period of $322,000, even Bobby Baker was never able to swing a deal like that.

The $322,000 profit and the original $200,000 purchase price will be paid half by the people of Virginia Beach and half by the people of the United States. The city council has already applied for a 50 percent grant from the Federal Government.

The other 50 percent will be paid by the taxpayer of the resort city. Two hundred and sixty-one thousand dollars will come from the beach, the other $261,000 will come from the taxpayers of all 50 States.

After the council announced the pending deal with the American Land Co., the Virginia Observer checked the deed books of Virginia Beach. The check showed no listing of that company.

A check with the city treasurer's office showed that the land was registered in the name of Washington's Forrest, Inc. A check on deed book 889—page 271 showed that Washington's Forrest had purchased the property from Alexander E., and Eva Cymrot on February 23, 1965, exactly 6 months ago.

Attached to the deed was $220 of U.S. real estate stamps, $1.10 in stamps represents $1,000 of land value. According to this formula, the transaction was consummated for only $200,000.

According to the State corporation commission, the registered agent for Washington's Forrest, Inc., is C. T. S. Keep. He is also vice president and treasurer. The Virginia State Corporation Commission also lists his address as 3113 Pacific Avenue, Virginia Beach, Va.

According to the Virginia Beach city directory, 3113 Pacific Avenue, is also the business address of prominent Virginia Beach civic leader and undisputed political boss, Sidney S. Kellam.

According to reliable sources the Federal grant has already been approved by the Urban Renewal Authority in Washington. In effect, if the 50–50 formula is used (the Federal share may be more) $261,000 will be paid by the United States. The original price—plus $61,000.

In addition, the taxpayers of Virginia Beach will have to fork out another $261,000. With the already $61,000 profit the combined net equals $322,000.

Virginia Beach needs a virgin ocean front park, of this there can be no dispute. The residents of Tidewater need to have the recreational space, hence the Federal grant.

The only unanswered question is—was a $200,000 purchase made 180 days ago now worth $522,000? Should the taxpayers of Virginia Beach and the United States pay a 6-month's 220 percent profit?

Everyone realizes the need for additional recreation sites, and everybody wants a private investor to be amply compensated. Shouldn't the city of Virginia Beach have used its power of eminent domain and acquired the property at a reasonable rate of profit?

These are not questions to be answered by the Virginia Beach city council, for they have already blundered into an intolerable situation. The people of Virginia Beach, the one who through his taxes pays the bill, will have to answer this question.

Will the U.S. Government really be a party to a $322,000 6 months profit? This the American people will have to answer.

A prominent realtor said of the transaction, "It appears that an extremely high price was paid." This is the only clear answer now in the entire mess.

[From the Virginia Observer, Sept. 3, 1965]

DEVELOPER OFFERED $522,000 PARK 30 DAYS AGO

NORFOLK.—"I about fell out of my chair," said a Tidewater developer after learning of the pending $522,000 purchase by the city of Virginia Beach for a 144-acre oceanfront park. The developer, who wishes to remain unnamed at this time, claims he was offered the land about 30 days ago and felt he could have consummated the deal for $380,000.

The property is being offered to the resort city by the American Land Co. Half of the purchase price will be paid by the taxpayers of Virginia Beach and the other half will come in the form of a Federal grant from the Urban Renewal Authority.

In a copyrighted story last week, the Observer noted that American had purchased the land only last February for $200,000 from Alexander Cymrot. In defense of the transaction, the Norfolk Ledger-Star quoted an official of the company as saying, "We have actually owned the property for more than 5 years."

"We had the property in the name of our lawyer (Cymrot) for legal and technical reasons. But that doesn't alter the fact that we have had real ownership of the property since 1960."

American originally bought the land for $150,000 in the name of Sea-Bay Corp. In July of 1964 it sold the land to Cymrot for the same price—$150,000. Cymrot then sold the land back to Washington's Forest, Inc., for $200,000 in February of this year.

The value of the transactions was determined by the amount of Federal Revenue stamps affixed to the deeds, $1.10 in stamps for each $1,000 of consideration. Virginia Beach City Treasurer, V. A. "Jack" Etheridge said the stamps didn't mean anything because property could be sold and bought for tax purposes.

However, what Etheridge didn't realize was that American Land Co. is a public corporation, that is it is like a labor union. A union belongs to its members, a corporation belongs to its stockholders. The Federal Government regulates the activities of both.

It is debatable that Government regulations would allow the sale of either corporation or union property to a private individual for one price only to buy it back 6 months later at a higher price. The obvious reason for the 6-months transaction is probably to take advantage of the capital gains easy tax of only 25 cents on one-half of the net profit.

Meanwhile, the Tidewater developer said he and his other associates turned down the American deal because they "thought the price was too high" and were so advised by a member of a prominent political family in Virginia Beach.

American told the Ledger-Star "we're making a real sacrifice."

In addition, a large real estate firm in Norfolk had the land listed at $1,850 an acre. This totals $305,000. However, this price included all 165 acres. The developer said that approximately one-third of the land on the back bay could be inundated by water and would have required dredging.

In other words, out of 165 acres (about 40 could be inundated) only 144 acres are being considered by the city for the park. Twenty-

one acres are being retained by the company. This would mean that the park would amount to only about 105 acres of usable land.

Of the 165 acres that the private developer thought he could have purchased about 30 days ago for $380,000, 144 acres probably will be sold to the taxpayer for $522,000.

WTAR-TV in Norfolk quoted city officials of the beach as saying the $200,000 transaction "in no way approximates the actual value of the property."

Under Virginia Beach's real estate tax formula, a homeowner that had an $18,000 home, would be taxed on $6,000.

The $522,000—144 acre land purchase is assessed by city hall at $6,000. The total assessed value the city places on the land is $18,360.

It pays $128.50 a year in taxes.

Odder still, than all these facts is the fact that while the city fathers of Virginia Beach said they would apply for a 50-percent grant from the Federal Government on the $522,000 purchase, it has been definitely learned from the Urban Renewal Authority that the city's application calls for a $450,000 total purchase.

Of course there is an escape clause in the application that could bring the price up to the $522,000 price. But why was the application made out for $72,000 less than the proposed purchase price?

This question the city officials of the world's largest resort city will have to answer. The answer, we predict, will be indeed interesting.

[From the Virginia Observer, Sept. 17, 1965]

ON $522,000 FEDERAL FINANCED PARK—LAWMAKER DEMANDS VIRGINIA BEACH PROBE

(By Gordon Dillon)

WASHINGTON.—A top leader of Congress has demanded a serious and immediate investigation into the $522,000 ocean park purchase voted by the Virginia Beach City Council. Fifty percent of the funds will come from the Federal Government.

Congressman WILLIAM B. WIDNALL, Republican, of New Jersey, said he was shocked by the disclosures brought to light by the Virginia Observer. "This is a matter," continued the ranking member of the House subcommittee, "that deserves a serious and immediate investigation by the Urban Renewal Authority and the Housing Subcommittee of the Congress."

The New Jersey Congressman has already written the URA Administrator requesting an immediate probe and will personally ask the subcommittee to initiate a congressional investigation.

The park was purchased by the beach council last Monday for $522,000 despite the fact that the ocean front property had been offered at around $380,000 to private developers about August 1.

At that time the deal was turned down because the price was too high by the private businessmen. However, the private $380,000 transaction included 165 acres, the beach purchase includes only 144 acres—a third of which is under water.

The present owners—the American Land Co. will retain 21 high acres thus bringing their total consideration to well over $650,000—for land offered a month ago for $380,000.

It may have been possible to have obtained the land at a lower price. A large Norfolk real estate firm had the full 165 acres listed at $305,000.

American Land Co. originally purchased the property for $150,000, it then sold it to its attorney for the same price. The attorney sold it back to American Land last February (6 months ago) for $200,000.

The Virginia Beach City Council voted to buy the 144 acres after a law was passed in Congress to provide Federal funds for the purchase of public parks. The law became effective August 10.

The Virginia Beach city manager has made an application to the Urban Renewal Authority in Washington for a 50-percent Government grant. This would mean the Government would have to pay a $262,000 share for land purchased last February for $200,000. The other $262,000 would have to be paid by the taxpayers of Virginia Beach.

Congressman WIDNALL's action will have far-reaching effects in this resort city and at the same time the New Jersey legislator may save the taxpayers of Virginia Beach and the United States a considerable amount of money.

ADJOURNMENT TO 11 A.M., THURSDAY, OCTOBER 7

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 o'clock tomorrow.

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

Mr. HALL. Mr. Speaker, reserving the right to object, will the distinguished majority leader advise us a little bit more about the program? We still have several hours to go this afternoon.

Mr. ALBERT. If the gentleman will yield, we have finished the business today under the previous agreement because this is a religious holiday. We are hoping to meet early tomorrow. We have several votes yet pending. We will probably have one and maybe two important conference reports tomorrow. Also we will take up the highway beautification bill. This bill has 4 hours of general debate and I would expect it to go on over into Friday.

Mr. HALL. Will the majority leader advise us whether we have put off the Ways and Means Committee bills, the unanimous-consent bills?

Mr. ALBERT. They will be brought up next week. In any case, they will take only a few minutes.

Mr. HALL. The sugar bill is not coming up this week?

Mr. ALBERT. If the gentleman will bear with me, we will have to reserve making final judgment on that.

Mr. HALL. Mr. Speaker, I am most anxious to cooperate. We have scheduled committee meetings in the Committee on Armed Services tomorrow morning with outside witnesses. I am keenly aware of the fact that the last two times we have cooperated on this matter, it dragged on and on and we accomplished very little that was scheduled. It went into the evening, and it is now getting to the point where it looks as though we can accomplish our business.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

PULASKI DAY

The SPEAKER. Under previous order of the House the gentleman from New York [Mr. ROONEY] is recognized for 20 minutes.

Mr. ROONEY of New York. Mr. Speaker, on Sunday afternoon last in New York City we enjoyed the always colorful Pulaski Day parade which annually pays due honor to the memory of one of our greatest heroes in our War of Independence who died for us on the field of battle 186 years ago. To our Founding Fathers the death of Gen. Casimir Pulaski was a tragic loss indeed. To the subsequent generations of valiant defenders of our independence and our liberties the death of the young Polish patriot has given strength to bolster their determination and courage to fight on.

We as Americans can never forget the help which this young Polish noble gave to General Washington and our fledgling army. So brilliant was his military background and so thorough was his judgment that in spite of his youth the Continental Congress commissioned him a brigadier general.

Americans can never forget the manner in which he joined with "Mad" Anthony Wayne in scouting and foraging for the food and supplies so desperately needed by the shivering and starving American Army at Valley Forge.

We are even more forcefully reminded of his gallantry in action. In battle after battle Casimir Pulaski demonstrated his bravery and his superb leadership under fire.

We remember General Pulaski, too, because it was he who created our first American cavalry, a branch of our military service which was to achieve immortal fame through all the succeeding years wherever and whenever our independence and security have been threatened.

Mr. Speaker, even if Casimir Pulaski had not made the supreme sacrifice of giving up his life while leading the American-French cavalry charge at the battle of Savannah, America would have revered him and claimed him as an American hero. His intense zeal for freeing mankind from bondage of any kind and his fearless efforts to implement his convictions gave not only the heroic patriots who created our American Nation great encouragement when it was sorely needed, but these qualities have continued to be an inspiration to the freedom fighters of succeeding generations.

We are grateful that the fine patriotic Polish-American organizations of today have given a high priority to the observance of Pulaski Day. These organizations, made up of thousands of our most loyal and devoted citizens, should have the help of all Americans to assure that the memory of General Pulaski is forever held in reverence by all the citizens of this country. It is of particular importance that our young people realize the service which Pulaski rendered to us lest they lose sight of how heavy the cost of our independence was to those who gave it to us. As they and succeeding generations hear the name Pulaski used with reference to bridges, highways, and other memorials, may they be reminded of the deeds of this immortal patriot.

They should be reminded, too, of our heritage received from all who, like Pulaski, have come from foreign lands to

live and die for this their adopted country. Of all the nationalities so represented in the making of America's greatness, none has made a greater contribution to our political, social, economic, and cultural development than Pulaski's Polish kinsmen. For that reason, Mr. Speaker, America can appropriately use the day commemorating the death of Casimir Pulaski to pay well deserved tribute to those of Polish birth or blood who, generation after generation, have done so much in behalf of all of us.

NEW IMMIGRATION ACT A STEP FORWARD IN ELIMINATING DISCRIMINATION FROM AMERICAN LIFE

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CONYERS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CONYERS. Mr. Speaker, after more than 40 years of discrimination and hardships, there has finally been erased from the statute books of the United States the notorious—and to some people, the infamous—national origins quota system. During all of that time, admissibility to the United States was determined not merely on a basis of personal quality and acceptability of the prospective immigrant, but, more important, upon the basis of the particular country where he was born. Because of the quota system, which made visas available subject to a numerical limitation according to the national origin of our 1920 population, three countries had more than two-thirds of the total number of visas, while all the other countries of the world, numbering more than 100, shared the balance.

Naturally, this led to hardship for many of our own citizens and resident aliens who were deprived of the privilege of bringing to this country their loved ones. Similarly, prospective employers in this country were deprived of the opportunity of bringing here specially skilled and trained persons whose services were urgently needed, but who were unable to obtain an immigrant visa because the quota of their native country was oversubscribed.

The national origins system produced ridiculous situations. For example, a person in the United States was able to bring to this country a domestic servant from Great Britain, but was unable to obtain the entry of his aged mother from Greece, because the Greek quota was oversubscribed while the British quota had ample visas available to all who sought them.

Under the new law which was enacted October 3, the present quota system will be totally abolished effective July 1, 1968. Until that time, and thereafter, there will be a worldwide limitation of 170,000 upon immigration from the Eastern Hemisphere. Until then, countries will continue to be entitled to the number of visas authorized under the existing quota system. But leftover visas, remaining unused because there is no demand in certain countries, are to be assigned to a pool to be distributed to immigrants from those countries whose quotas are oversubscribed.

On July 1, 1968, the new system of distribution of immigrant visas to persons from Eastern Hemisphere countries will be completely effective. Immigrant visas will be assigned strictly on a system of preferences based upon relationship to U.S. citizens and lawfully resident aliens, and upon the particular skills and abilities of prospective immigrant to perform needed services and labor in the United States. Within each preference category, the rule will be first-come, first-served. No country may be assigned more than 20,000 visas in any single year. All references to race or national origin are removed from the law. With the effective date of this law, the United States again demonstrates to the world its firm conviction that there shall be no discrimination or prejudice in this country, that persons shall be judged upon the basis of their individual merit, and that liberty, equality, and freedom can be enduring realities in this country.

For the first time in the history of the United States, there has been incorporated in the permanent immigration law a specific provision for assignment of a number of visas to refugees, on a preference basis. This again establishes our historic policy of granting refuge to those who have been forced to flee from their homelands because of persecution or natural calamity.

The new immigration law provides that commencing July 1, 1968, there shall be a ceiling of 120,000 annually on Western Hemisphere immigration. Of course, that number is exclusive of the immediate family members of U.S. citizens—meaning their spouses, parents, and children, who are not subject to the numerical limitation. As a precautionary measure, the law provides for a Commission to study the entire matter of immigration from the Western Hemisphere and to submit a report prior to the effective date of the ceiling so that Congress can take appropriate steps, if necessary, to revise the new system.

It should be borne in mind that even with this new numerical limitation, the United States is giving more favorable treatment to its traditional friends in the Western Hemisphere than immigrants coming from elsewhere in the world. The Western Hemisphere is receiving a total of 120,000 numbers as compared with 170,000 to the rest of the world. The numerical limitation of 20,000 per country does not apply to countries of the Western Hemisphere.

The new system of assignment of immigration visas to the Western Hemisphere nations is basically consistent with U.S. immigration policy in relation to other foreign countries, and is designed to meet the needs and interests of the United States.

Thus, the new immigration law, by abolishing discrimination, preserving our traditional friendship for the Western Hemisphere and our policy toward refugees, and continuing the many safeguards of present law against undesirable or excessive immigration, will strengthen our Nation.

Mr. Speaker, I include President Johnson's remarks when he signed the immigration bill at this point:

REMARKS OF THE PRESIDENT AT THE SIGNING OF THE IMMIGRATION BILL

Mr. Vice President, Mr. Speaker, Mr. Ambassador Goldberg, distinguished members of the leadership of the Congress, distinguished Governors and mayors, my fellow countrymen, we have called the Congress here this afternoon not only to mark a very historic occasion, but to settle a very old issue that is in dispute. That issue is, to what congressional district does Liberty Island really belong—Congressman FARBSTEIN or Congressman GALLAGHER? It will be settled by whomever of the two can walk first to the top of the Statue of Liberty.

This bill that we sign today is not a revolutionary bill. It does not affect the lives of millions. It will not reshape the structure of our daily lives, or really add importantly to either our wealth or our power.

Yet it is still one of the most important acts of this Congress and of this administration.

For it does repair a very deep and painful flaw in the fabric of American justice. It corrects a cruel and enduring wrong in the conduct of the American Nation.

Speaker MCCORMACK and Congressman CELLER more than almost 40 years ago first pointed that out in their maiden speeches in the Congress. And this measure that we will sign today will really make us truer to ourselves both as a country and as a people. It will strengthen us in a hundred unseen ways.

I have come here to thank personally each Member of the Congress who labored so long and so valiantly to make this occasion come true today, and to make this bill a reality. I cannot mention all their names for it would take much too long, but my gratitude and that of this Nation belongs to the 89th Congress.

We are indebted, too, to the vision of the late beloved President John Fitzgerald Kennedy, and to the support given to this measure by the then Attorney General, and now Senator, ROBERT F. KENNEDY.

In the final days of consideration, this bill had no more able champion than the present Attorney General, Nicholas Katzenbach, who, with New York's EMANUEL CELLER, and Senator TED KENNEDY of Massachusetts, and Congressman FEIGHAN of Ohio, and Senator MANSFIELD and Senator DIRKSEN constituting the leadership in the Senate, and Senator JAVITS helped to guide this bill to passage along with the help of the Members sitting in front of me today.

This bill says simply that from this day forth those wishing to immigrate to America shall be admitted on the basis of their skills and their close relationship to those already here.

This is a simple test, and it is a fair test. Those who can contribute most to this country—to its growth, to its strength, to its spirit—will be the first that are admitted to this land.

The fairness of this standard is so self evident that we may well wonder that it has not always been applied. Yet the fact is that for over four decades the immigration policy of the United States has been twisted and has been distorted by the harsh injustice of the national origins quota system.

Under that system the ability of new immigrants to come to America depended upon the country of their birth. Only three countries were allowed to supply 70 percent of all the immigrants.

Families were kept apart because a husband or a wife or a child had been born in the wrong place.

Men of needed skill and talent were denied entrance because they came from southern or eastern Europe or from one of the developing continents.

This system violated the basic principle of American democracy—the principle that values and rewards each man on the basis of his merit as a man.

It has been un-American in the highest sense because it has been untrue to the faith that brought thousands to these shores even before we were a country.

Today, with my signature, this system is abolished.

We can now believe that it will never again shadow the gate to the American Nation with the twin barriers of prejudice and privilege.

Our beautiful America was built by a nation of strangers. From a hundred different places or more, they have poured forth into an empty land—joining and blending in one mighty and irresistible tide.

The land flourished because it was fed from so many sources; because it was nourished by so many cultures and traditions and peoples.

And from this experience, almost unique in the history of nations, has come America's attitude toward the rest of the world. We, because of what we are, feel safer and stronger in a world as varied as the people who make it up—a world where no country rules another and all countries can deal with the basic problems of human dignity and deal with those problems in their own way.

Now, under the monument which has welcomed so many to our shores, the American Nation returns to the finest of its traditions today.

The days of unlimited immigration are past.

But those who do come will come because of what they are, and not because of the land from which they sprung.

When the earliest settlers poured into a wild continent there was no one to ask them where they came from. The only question was: Were they sturdy enough to make the journey, were they strong enough to clear the land, were they enduring enough to make a home for freedom, and were they brave enough to die for liberty if it became necessary to do so.

And so it has been through all the great and testing moments of American history. This year we see in Vietnam men dying—men named Fernandez and Zajac and Zelinko and Mariano and McCormick.

Neither the enemy who killed them nor the people whose independence they have fought to save ever asked them where they or their parents came from. They were all Americans. It was for freemen and for America that they gave their all, they gave their lives and selves.

By eliminating that same question as a test for immigration the Congress proves ourselves worthy of those men and worthy of our own traditions as a nation.

So it is in that spirit that I declare this afternoon to the people of Cuba that those who seek refuge here in America will find it. The dedication of America to our traditions as an asylum for the oppressed is going to be upheld.

I have directed the Departments of State and Justice and Health, Education, and Welfare to immediately make all the necessary arrangements to permit those in Cuba who seek freedom to make an orderly entry into the United States of America.

Our first concern will be with those Cubans who have been separated from their children and their parents and their husbands and their wives that are now in this country. Our next concern is with those who are imprisoned for political reasons.

And I will send to the Congress tomorrow a request for supplementary funds of $12,600,000 to carry forth the commitment that I am making today.

I am asking the Department of State to seek through the Swiss Government immediately the agreement of the Cuban Government in a request to the president of the International Red Cross Committee. The request is for the assistance of the Committee in processing the movement of refugees from Cuba to Miami. Miami will serve as a port of entry and temporary stopping place for refugees as they settle in other parts of this country.

And to all the voluntary agencies in the United States, I appeal for their continuation and expansion of their magnificent work. Their help is needed in the reception and settlement of those who choose to leave Cuba. The Federal Government will work closely with these agencies in their tasks of charity and brotherhood.

I want all the people of this great land of ours to know of the really enormous contribution which the compassionate citizens of Florida have made to humanity and to decency. And all States in this Union can join with Florida now in extending the hand of helpfulness and humanity to our Cuban brothers.

The lesson of our times is sharp and clear in this movement of people from one land to another. Once again, it stamps the mark of failure on a regime when many of its citizens voluntarily choose to leave the land of their birth for a more hopeful home in America. The future holds little hope for any government where the present holds no hope for the people.

And so we Americans will welcome these Cuban people. For the tides of history run strong, and in another day, they can return to their homeland to find it cleansed of terror and free from fear.

Over my shoulder here you can see Ellis Island, whose vacant corridors echo today the joyous sounds of long-ago voices.

And today we can all believe that the lamp of this grand old lady is brighter today—and the golden door that she guards gleams more brilliantly in the light of an increased liberty for the people from all the countries of the globe.

Thank you very much.

SPEECH BY REPRESENTATIVE FOGARTY BEFORE THE WORKSHOP AT TRINITY COLLEGE, WASHINGTON, D.C.

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I would like to include a speech which I delivered before the workshop at Trinity College, Washington, D.C., on Wednesday, July 14, 1965:

PROPPING OPEN THE COLLEGE GATES

(By the Honorable JOHN E. FOGARTY)

I am delighted to be here this morning and I am honored to have been invited to participate in this workshop. The scope and breadth of the topics that you have set yourselves for discussion is certainly impressive. It is most encouraging to those of us who are called upon to consider what the Federal role in support of higher education should be—and how this role should properly be played—to see a group such as this giving serious and concentrated thought to the role of women's colleges in broadening the spiritual, intellectual, and civic life of the community.

Both these roles—that of the Federal Government and that of the smaller colleges—are in a period of change. The impact of politics on Catholic women's colleges is therefore not just an interesting topic for a series of discussion; it is a vital issue in which you, as educators, and I, as a legislator, must be equally concerned. I am, of course, speaking of politics not in its abstract sense as "the science and art of government," nor in its earthier partisan sense, but in the sense of Webster's second definition: "the practice of managing affairs of public policy." Higher education has become a prime problem of public policy. The solution of this problem in the best interest of the Nation, of the educational institutions and, above all, in the interest of the young people to be educated, is a task demanding our thoughtful cooperation in a spirit of unselfish public service.

Much has been said and written about the extraordinarily rapid growth of college enrollment in this country. Of course this creates problems but it should neither frighten nor deter us. Rapid growth is one population, gross national product, health of the most characteristic aspects of American life—it is reflected in statistics on our services, research, and so forth. With this growth has come an increasing complexity in making our lives and in making our livings.

In one respect, this complexity simply means that a college education today has the sort of value that was attributed to a high school education a generation ago.

But in another, more important sense, which perhaps defines the Federal Government's interests and responsibilities in education, this complexity reflects the enormous and accelerating economic and social growth of this Nation in the past few decades.

College education, as a luxury of a privileged minority, is inappropriate when we are dealing, as we must deal, with the fundamental human rights and welfare of all our people. At no time in our history has this country required more of its people to understand the democratic process, to comprehend the issues on our national agenda, to help develop reasonable, compassionate laws and programs.

In his special message to Congress on education, in 1963, President Kennedy said:

"For the individual, the doors to the schoolhouse, to the library and to the college lead to the richest treasures of our open society: to the power of knowledge—to the training and skills necessary for productive employment—to the wisdom, the ideals, and the culture which enrich life—and to the creative, self-disciplined understanding of society needed for good citizenship in today's changing and challenging world.

"For the Nation, increasing the quality and availability of education is vital to both our national security and domestic well-being."

Education must be one of our primary national goals—perhaps I should say the primary national goal because nothing matters more to the future of our country.

Higher education has become a prerequisite to the fulfillment of the individual's potential in society, and to the continuing strength and leadership of this country. The magnitude of this was spelled out by the American Council on Education testifying in favor of the Higher Education Facilities Act of 1963. By 1980, the Council said, every existing college and university in this country will have to double its enrollment—and 1,000 new institutions will have to be created with an average enrollment of 2,500 each.

This assignment for education is enormous. In less than 15 years we shall have to more than double what it has taken more than

300 years to build. I, for one, do not doubt that we can do this. In fact, we can do what needs to be done in many ways—we can do it haphazardly, chaotically, frantically, or with a good deal of deliberate thought to planning and proper organization.

The expanding demand for college education generates a corresponding need for expanded facilities. Most of our educational institutions are working energetically to meet this need. Indeed, many of our smaller colleges welcome this task as a challenge and as an opportunity for growth. This is natural—and it is healthy, provided the growth is carefully geared to the pattern of emerging needs.

We hear a great deal these days about the need for more centers of excellence. Certainly, every educational institution must strive to be a center of excellence—but does this mean that all these institutions should strive to reach the same goal? Should each institution strive for excellence in all fields?

What this country needs is not just a total educational capacity, but a capacity to give students with wide ranges in capabilities, that which best suits their needs and best fits them for useful and satisfactory lives.

It will not serve our national purposes, or the best interests of the students, or the best interests of our educational institutions if we try to provide the same curriculum or make the same academic demands on all students.

No one institution can hope—or should try—to provide for all possible needs of all possible students.

Our politics are pluralistic; so must our institutions be.

We need excellent junior colleges, but this does not mean that every junior college should strive to be a 4-year college.

We need excellent liberal arts colleges, but this does not mean that they should strive to be universities.

We need universities that excel in the physical sciences. This does not mean that these same universities must necessarily also excel in the humanities or the social sciences.

It would be better, I suggest, for excellence to be the goal in all things attempted, but not to try to attempt all things.

Let each institution of higher learning clarify its objectives, realistically, and then do everything to achieve those objectives.

I think, however, that all these diverse institutional objectives have to be put together in some coherent way. You can design a fine living room, a fine dining room, good bedrooms, and so forth, and yet you still may not have a house, much less a home.

In California, they have taken a long step in this direction. They have developed a model structure—a so-called master plan—which those of us interested in education should watch closely. This structure has a broad base of junior colleges, each trying to fulfill its community objectives, but tightly woven into the fabric of the State's colleges and universities, again, each with its own standards, curricula and aims.

That's one type of planning. Another type of planning can be done—and should be done—among our smaller private colleges. This may mean only cooperation and goodwill rather than State, or other central, direction.

What I have in mind here are the difficulties many of the small colleges face in developing their potential—problems of facilities, faculties, and funds.

I have stressed our growing national need for diversity among our institutions of higher education but we must keep clearly in mind that diversity is not the same thing as multiplicity.

In many cases—in many places—there is, today, needless multiplicity which hinders, rather than helps, the orderly expansion of our educational system or the achievement of the excellence at many levels of post-secondary education which must be our aim. As a Nation we cherish competition but let us not forget that competition is the means to an end: better public service. The function of an educational institution, in our modern society, is to render an essential public service but the best means to this end are not necessarily those of commerce. May I suggest that our smaller colleges—and, particularly, our vast array of Catholic colleges—should strive to complement rather than compete with each other?

In fact, in some cases, a complete joining of forces—an amalgamation of several struggling institutions—may offer the best solution. The conclusions of Professor Conant's study of secondary schools, favoring a large high school to several small ones, points in this direction. The advantages of the larger institution are obvious. It can offer more varied courses; has greater flexibility in the use of facilities and in the development of a curriculum; attracts a more stimulating cross-section of students; and can afford, and hold, better faculty.

When a group of smaller colleges have banded together into a larger one, they can better concentrate their plans on the type of excellence they want to pursue. Separate, lacking flexibility, too many are now not able to concentrate on any type of excellence at all.

Given the right sort of planning, education will succeed in the monumental tasks before it. The groundswell of public support for education and the determination of educators to reexamine and improve old techniques and shape them to fit today's needs, combine to give education its greatest momentum in our history—perhaps in the history of the world.

This momentum was reflected in the record of the 88th Congress, which enacted legislation covering a broad spectrum of educational needs.

The Office of Education has been authorized to spend $1.2 billion in competitive grants and loans to help public and private colleges and universities build or remodel classrooms, laboratories, and libraries. Under title I of this program, all accredited or to be accredited institutions can compete for these funds, and one of the most important criteria in awarding a grant—which covers between 30 and 40 percent of costs—is that the funds will be used to expand existing facilities. The need is so great, so widespread, that schools which merely wish to maintain the status quo in enrollment must be accorded a low priority. There are many purposes to which this money can be put: to build up the school's physical and biological science curriculums, to expand its capabilities for educating potential engineers and mathematicians, to enlarge its modern language program, and to improve its libraries.

Private institutions, which contribute so much to our intellectual strength, have not been ruled out of the competition, I'm happy to say. A school like Trinity College—a liberal arts college open to all faiths—is eligible to compete for a grant or a loan.

Many private institutions have recognized the new opportunities open to them and have submitted applications through their State commissions for higher education facilities, appointed by their Governors. The Sacred Heart College in Wichita, for example, has applied for a grant to put up a new science building.

Georgetown University has obtained $1.2 million for a library.

The Sisters of Providence of Our Lady of the Lake in San Antonio have requested $118,000 for a new school of social service. And dozens of other Catholic institutions have submitted applications for grants to expand higher education facilities.

The 88th Congress also enlarged the student loan program, which is particularly helpful to private liberal arts colleges. It provided 1,500 additional graduate fellowships each year. It set up institutes where teachers in many liberal art fields can update their teaching techniques in history, geography, modern foreign languages, and in other fields.

A pilot program of counseling and guidance institutes will be conducted this summer at Stanford University, and the Universities of Minnesota, Missouri, Ohio, and Texas.

In addition, the 88th Congress set up a work-study program in the Economic Opportunity Act to serve two growing needs—the need of colleges for additional staff, and the need of students for more income so they can stay in school. Under the work-study program, the Federal Government shares the cost of part-time employment of graduate or undergraduate students from low-income families, and, in the process, assures colleges of ready hands to help with tutoring, bookkeeping, typing, and other services.

All these legislative achievements are steps on the long road of progress, and, of course, we must continue the forward movement in keeping with the high goals we have set ourselves in education.

Because of my own concern for the future of American education, I have introduced a bill which would create a Department of Education with Cabinet status. I will not go into all the details of the bill. But briefly, it provides that the Commissioner of Education would become the Secretary of Education, with four Assistant Secretaries to help administer the new Department. I consider this bill essential to the advancement of education because it is clear to me that the responsibility of the Federal Government for assisting and supporting education is increasingly being not merely accepted but demanded by our citizens.

There are few activities more important than assuring education for all our citizens, and it is important that the Commissioner of Education—the man given primary responsibility for education leadership at the Federal level—be assigned a Cabinet role commensurate with the significance of his work.

This, of course, is only one of many things that we can do to assure that education receives a first-priority consideration in all our planning for the future. There is much more that must be done.

The President has called upon the Congress—

To extend the opportunity for higher education to all;

To help the smaller, struggling colleges build stronger programs;

To build up the libraries of colleges and universities;

And to draw upon the spiritual and intellectual resources of our higher education institutions, our teachers, and scholars, for aid in the solution to national problems of poverty and community development.

These are goals worthy of a swiftly-developing nation—goals to match our education system to our dynamic growth, and to assure that all our citizens may share, to the fullness of their ability, in the labor and in the rewards of our collective endeavors. The fact is that too many do not now share fully in the benefits of our free society. We must use education as the lever that can lift all our people to a better quality of life.

The opportunity—and the responsibility—for frontline participation in the problems of our time lies squarely before those who serve in education.

One of our primary jobs is to make sure that cost of education does not close the door to advancement of the individual, or to our development as a Nation.

I mentioned before the projection by the American Council on Education of college

enrollment in 1980. Let us reflect for a moment on the growth that we have experienced to date, and the rising costs which have accompanied it.

Since the end of World War II the percentage of 18–20 year-olds who enroll in college has risen from 22 to 40 percent. We now have nearly 5 million college students.

In 1946–47, that is, right after the war, the average cost of attending a public college or university was $960. For a private institution, it was $1,290. Let it be noted that the GI bill of rights, one of the truly great innovations in education in this country—although for only a selected number of our citizens—could just about cover these costs in public colleges, while falling somewhat below the costs in private colleges.

Right now it costs on the average of $1,560 for a student to attend a public college or university, and $2,370 to attend a private institution. By 1970, the cost is expected to rise to $1,840 a year in a public institution—nearly $300 a year more than today—and to $2,780 a year in private institutions—over $400 a year more.

This means that a 4-year college education is going to cost between $7,500 and $11,000, on the average, just 5 years from now.

Clearly, such costs can prevent many fine young men and women from getting a college education.

In 1960, there were 1,079,000 high school graduates who did not go on to college. Now, I don't mean to suggest that all of them should have gone on to college, but I do suggest that money should not decide the question—that cost alone should not be the bar that keeps them out of college. And yet, almost a quarter of a million students were excluded merely by the expense of higher education. Furthermore, thousands of those who did manage to start their first year of college dropped out only because they could not afford to continue.

This sort of thing has to stop. These young men and women need money now, and we, as a people, shall need their trained minds and wisdom later. I think it's a fair exchange to pay out a few millions today in order to get the best possible leadership and manpower for the trillion-dollar enterprise which the United States will be tomorrow.

Until this year, the public cannot be said to have been particularly interested in education as a national resource, demanding much national attention. This lack of widespread public concern was reflected in the size of the annual appropriations for the Office of Education. In 1953, when the Department of Health, Education, and Welfare was formed, the appropriation for the Office of Education amounted to $289 million. During the next decade the appropriation seemed merely to have crept along, barely staying ahead of the rising cost of living and increased overhead costs. Seven years later, in 1960, it was only $474 million, despite the rise in population and students of college age. In 1961, it was $539 million. In 1962, $603 million. In 1963, $662 million. In 1964, $702 million.

And then something happened. The national conscience awakened. The enormous potentialities, the great opportunities finally struck home. For the fiscal year 1965, which has just ended, the appropriation for the Office of Education doubled, reaching $1.5 billion. And for the current year, it has more than doubled again, standing at $3.2 billion.

It is heartening to me and to many of my friends in Congress that the American people are willing to reach out and grasp the opportunities before them, to see clearly the steps which must be taken now for the benefit of future generations. I hope—and believe—that we are on the way to eliminating economic discrimination in making higher education available to our young people.

There's another type of discrimination that must come to a stop in this country. I mean the waste of educated "womenpower." I do not belittle the need for educated mothers, or the need for educated women in the role of ordinary citizens, casting their votes, and taking part in the never-ending debate on local, State, and national issues.

But, surely, this country should be able to use wisely and well those women who have been educated and want—at least for a time—to concern themselves with something other than diaper pins, coffee klatches, and the dust mop.

You may have read in the newspapers that the President wanted to recruit 50 women for top jobs in the Federal Government. He got two, and both of them—Dr. Bunting and Dr. Baumgartner—have since resigned. The newspaper reports said that the women who were considered for the other 48 top jobs weren't as well qualified as the man who got them. I agree that if the women are not as well qualified, they should not get the jobs. I want to know why there are no women as well qualified. Is it because there are not sufficient opportunities for them in graduate schools? In medical schools? As engineers, physicists, mathematicians? As public administrators, economists, psychologists?

This Nation, in every community, in every State and region, has important work to be done and serious problems to resolve. We cannot afford to have any segment of our college-educated people relegated to positions in which they can contribute relatively little to major tasks or take no part in the solution of major problems. If young women graduating from our colleges and universities want to help, there should be as much opportunity for them as for any young man with the same credentials.

As a nation of responsible people we cannot afford the tragedy of lost capabilities, of wasted resources, of restricted intellectual growth, in any form.

But we can afford to help our young people go to college and to provide equal opportunities for them when they have graduated.

We can afford to help our colleges and universities to build and to expand to meet the enrollment emergency already upon us.

We can afford to help already good institutions to take the extra step forward which will make them new centers of excellence.

We can afford to have institutions of the highest quality to serve every level of educational need in every region, in every State, in this land.

These are my goals, and I will continue to work for them in Congress.

Today is Bastille Day in France—the day on which the French people, 176 years ago, tore down an almost empty fortress as a symbol of their flaming spirit of freedom and equality. It is a good day on which to dedicate ourselves to tearing down the barriers to a good education for all our bright young people.

You, who have dedicated your lives to helping young women achieve goals of learning, morality, and usefulness, must share with those of us who have some responsibility for public policy the task of giving our higher educational system the excellence, the breadth, the flexibility, and, above all, the accessibility that our advancing civilization demands.

It is a momentous task but with courage, cooperation, and faith its achievement is well within our reach.

Thank you.

PANAMA CANAL EMPLOYMENT OF ALIENS FOR CANAL ZONE POLICE ENDANGERS SECURITY

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FLOOD. Mr. Speaker, one of the most ill-advised features of the 1955 treaty with Panama was the giving away to that country without consideration the terminal yards and passenger stations of the Panama Railroad which our Government is under treaty obligations to Colombia to operate. While this move was being perpetrated the House of Representatives stepped into the situation, saved the main line tracks, and prevented the liquidation of the railroad.

Since that time other erosive changes in the canal setup have occurred. The most shocking of these were the formal display in 1960, and subsequently, of the Panama flag in the Canal Zone, and the employment in 1965 of alien Panamanians as members of the Canal Zone police force.

The first was done soon after adjournment of the Congress despite the overwhelming vote by the House of Representatives of 381 to 12 in opposition to such display and against the intent of an act of Congress prohibiting the use of Department of Commerce appropriations for that purpose; the second, in disregard of the stand of experienced members of the Canal Zone police force and the views of Members of this body.

On March 9, 1964, soon after learning about the scheme to employ alien Panamanians as members of the Canal Zone Police Department following the January 1964 Red-led Panamanian mob assaults on the Canal Zone, I vigorously opposed their employment in an address to the House, describing such hiring as being "tantamount to treason."

One of the points obvious at the time was that alien Panamanians would not be bound by oath to support the Constitution of the United States as is required of U.S. citizens serving as Canal Zone Police. Of course, Panamanians and other aliens holding nonsecurity employment in the zone by the thousands, and preponderantly, have never been required to make any such pledge.

A simple statement of these facts shows the enormity of the error involved. Every official and, indeed, every employee in the canal organization should be loyal to the United States in the effort to protect the canal; and, certainly, every employee holding a position in a Canal Zone protection agency should be required to indicate by written pledge of some character their loyalty. Such pledge is given by all U.S. citizens holding positions of security or other responsibility. If such oath or pledge of similar character is not, or cannot, be taken by aliens then they should not be appointed to such positions, especially those involving security.

Alien employees in nonsecurity positions are one thing, but aliens in security positions, such as the police force of the Canal Zone, are another. It is known that certain aliens of the canal enterprise holding positions of security character were disloyal to the United

States in January 1964, and gave active support to the bloody riots and the attempted mob invasion of the Canal Zone, for which they were never prosecuted. In the event of similar situations in the future would these Panamanians who are unwilling and do not take an oath of loyalty to the U.S. support proper authority in the Canal Zone or would they follow Red-led mobs in renewed attempts to destroy that authority and to sabotage the canal itself?

In the event of major war or other emergency what would be their attitude? Why should any person be intrusted with the responsibility of a security position or other responsible post in the Canal Zone who, for any reason, does not take the same oath of loyalty as required of U.S. citizens in like positions? To ask these questions is to answer them.

Sooner or later, Mr. Speaker, communistic revolutionaries will infiltrate the ranks of the alien contingent on the Canal Zone Police Force and attempt to do the work desired by Red revolutionary power. This will prove disastrously true in any condition of emergency.

I quote as part of these remarks the page of U.S. Civil Service Commission Standard Form No. 61 that gives the oaths and pledges in question. U.S. citizens in security positions are required to sign A through D. In contrast, Panamanians on the Canal Zone Police Force are not required to sign A.

The inference to be derived from these facts is that Panamanians employed in security positions are not required to give a pledge of loyalty to the United States or for the protection of the canal. Whether or not Panamanian law forbids its citizens appointed to Canal Zone security positions from making such loyalty pledges I do not know; but if there is such law in Panama, undoubtedly Panamanians should not be employed in these security posts until such law is repealed; and not before.

The Panama Canal is not a factory or a farm where sabotage would end without national and international consequences; but the canal is a great interoceanic public utility the protection of which affects the entire Western Hemisphere and, indeed, all the world. Therefore, some protection, or moderate protection, is wholly inadequate and no responsible government can ever afford to require anything less than the fullest measure of protection. If pledges of loyalty are exacted from U.S. citizens before they enter upon the discharge of responsible duties in the Canal Zone why should there not be required the same or a similar pledge from aliens holding like positions, especially those of security type? Can our State Department, which is evidently responsible for all these acts of appeasement, and policies of erosion answer the questions? My judgment is that our people would like to have the answer.

In order that full information on current practices in the Canal Zone in the premises may be known in the Congress, I quote as parts of my remarks my exchange of letters with the Secretary of the Panama Canal Company and the oaths as given in the employment affidavits:

SEPTEMBER 9, 1965.

Mr. W. M. WHITMAN,
Secretary, Panama Canal Company,
312 Pennsylvania Building,
Washington, D.C.

DEAR MR. WHITMAN: I have in my possession U.S. Civil Service Commission Standard Form No. 61, which I understand is applicable to U.S. citizens employed in the Canal Zone in positions of responsible character, especially those of security nature.

Also I understand that Panamanians employed in security positions as members of the Canal Zone police force are not required to take the constitutional oath set forth as item A on page 1 of the form nor to make the affidavit required by item G.

Kindly advise me of the facts thus involved and, if you know, whether or not there are any provisions in the Panamanian Constitution as statutes forbidding Panamanians employed in security positions to make the pledges in A and E.

An early reply is requested, with five copies of the form.

Thanking you, I am
Sincerely yours,

DANIEL J. FLOOD,
Member of Congress.

PANAMA CANAL COMPANY,
Washington, D.C., September 14, 1965.

DEAR MR. FLOOD: This is in response to your letter of September 9 in regard to the execution of U.S. Civil Service Standard Form No. 61 by employees of the Panama Canal Company and Canal Zone Government, with particular reference to citizens of Panama employed as policemen.

Items B through D of standard form No. 61 are executed by all employees, regardless of citizenship. Item E is not used for any employees, regardless of citizenship. The same information is obtained from the application and special information forms completed by all employees regardless of nationality.

Item A of SF-61, the oath to support and defend the Constitution of the United States and bear true faith and allegiance thereto, is executed by all U.S.-citizen employees. It is not executed by any employee who is not a citizen of the United States and hence is not executed by a Panamanian citizen employed as a policeman or in any other position. To the best of my knowledge, however, there is no provision in the constitution or laws of Panama specifically forbidding a Panamanian citizen to execute such an oath.

Although classification as a security position is not determinative as to whether or not execution of item A of SF-61 is required, police positions occupied by Panamanian citizens are not so classified. By definition, a security position is one which can be filled only by a U.S. citizen.

Five copies of SF-61 are enclosed in accordance with your request.

Sincerely yours,

W. M. WHITMAN,
Secretary.

STANDARD FORM NO. 61

APPOINTMENT AFFIDAVITS

(Important: Before swearing to these appointment affidavits, you should read and understand the attached information for appointee)

(Department or agency)

(Bureau or division)

(Place of employment)

I, ----------, do solemnly swear (or affirm) that—

a. Oath of office

I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion; that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God.

b. Affidavit as to subversive activity and affiliation

I am not a Communist or Fascist. I do not advocate nor am I knowingly a member of any organization that advocates the overthrow of the constitutional form of the Government of the United States, or which seeks by force or violence to deny other persons their rights under the Constitution of the United States. I do further swear (or affirm) that I will not so advocate, nor will I knowingly become a member of such organization during the period that I am an employee of the Federal Government or any agency thereof.

c. Affidavit as to striking against the Federal Government

I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof. I do not and will not assert the right to strike against the Government of the United States or any agency thereof while an employee of the Government of the United States or any agency thereof. I do further swear (or affirm) that I am not knowingly a member of an organization of Government employees that asserts the right to strike against the Government of the United States or any agency thereof and I will not, while an employee of the Government of the United States or any agency thereof, knowingly become a member of such an organization.

d. Affidavit as to purchase and sale of office

I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing such appointment.

e. Affidavit as to declaration of appointee

The answers given in the declaration of appointee on the reverse of this form are true and correct.

(Date of entrance on duty)

(Signature of appointee)

Subscribed and sworn before me this ----- ------ day of ---------- A.D., 19------, at ----------

(City)

(State)

[SEAL] ----------
(Signature of officer)

(Title)

(NOTE.—The oath of office must be administered by a person specified in 5 U.S.C. 18, or by a person designated to administer oaths under section 206, act of June 26, 1943, 5 U.S.C. 16a. If by a notary public, the date of expiration of his commission should be shown.)

VICE PRESIDENT HUMPHREY'S SPEECH TO NATO PARLIAMENTARIANS

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. KELLY]

may extend her remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mrs. KELLY. Mr. Speaker, the future of the NATO alliance is one of the key issues of our day. The security of the free world, the advancement of the developing nations, and the maintenance of peace depend on our success in adapting the structure of the alliance and its policies to the realities and tasks which confront us at this crucial juncture of our history. This has been and continues to be one of the fundamental objectives of the foreign policy of the United States.

No one is more keenly aware of the need to break new ground in the partnership of the Atlantic community than Vice President HUBERT HUMPHREY. Few men have addressed themselves to this task with more insight, energy, and perseverance than he.

For this reason, I wish to place in the RECORD and commend to the attention of the membership of the Congress, an address delivered yesterday by Vice President HUMPHREY at the meeting of the NATO Parliamentarians in New York City.

Vice President HUMPHREY's speech warrants our close attention. It restates the fundamental principles on which NATO is based and goes ahead to offer specific suggestions as to the course which we sought to follow in order to realize the full promise of this great undertaking.

As chairman of the Subcommittee on Europe of the Committee on Foreign Affairs, I have been deeply concerned about the need to revitalize the great Atlantic community partnership. Vice President HUMPHREY's contribution to the dialog on this subject is realistic, refreshing, and most welcome. It deserves our full attention:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, NATO PARLIAMENTARIANS, NEW YORK CITY, OCTOBER 5, 1965

I am happy to be able to welcome you here today to the United States on behalf of the President. I am particularly happy to do so as a fellow NATO parliamentarian who has attended your meetings in the past, has always followed your activities with the keenest interest, and is looking forward to conversations with a number of old friends in this distinguished group.

The tradition, in opening such international meetings, is for someone from the host country to greet the delegates with general and benign expressions of good will.

I would like to do more than that.

For you are leaders in developing political thinking in your countries. You are the men and women who provide legislation to back up needed policies. You are key figures in advancing the common interests of our Atlantic partnership.

I would like to share with you some thoughts about the future of that partnership.

Its object is to strengthen peace. This is surely the supreme task of our age. In the nuclear era, there can be no alternative.

Peace will not be secured merely by putting out fires, as they occur. We must build a world in which they will be less likely to break out in the first place.

This means trying to build the kind of world order envisaged in the U.N. Charter: one in which men everywhere can enjoy more of the good things of life, in which emerging countries can maintain and strengthen their freedom, in which aggression can be deterred and the root causes of tension and conflict can be effectively addressed.

The Atlantic countries have a unique responsibility in building such a world. Their resources and talents are essential to the task.

But even these resources and talents will only suffice if they are concerted. No one of us is strong enough to meet the needs of the day alone. That is the meaning of the Atlantic partnership.

An effective partnership must be based on the concept of equality: equality of effort, and equality of responsibility.

It is to such a partnership that my country is dedicated. As President Johnson said a few months ago, "none of us has sought, or will seek, domination over others."

To fulfill the promise of this partnership, we must be ready to break new ground, as did the statesmen who first constructed the alliance.

They met the essential need in building a better world: They prevented war. Since NATO was created, the territorial integrity of each of its members has been maintained. For almost a generation, aggression in Europe has been deterred. But NATO has been more than a shield of protection. It has been a wellspring of confidence and security giving impetus to prosperity and progress, to economic growth and political cooperation.

We must make sure that it stays this way. We must maintain and strengthen the NATO, in the face of a Soviet military presence which changes but does not wither. We must preserve the structure of joint defense on which NATO's success has rested. It is the close integration of effort that distinguishes NATO from all previous alliances. But we must adapt that structure to changing circumstances.

Other needs for common action also emerge as we move into the third decade of the postwar era.

It is to three of these great needs that I would speak today.

We must concert about our actions in the great continents to the south: Latin America, Africa, and Asia. We must help these peoples achieve the peace, the freedom, and the progress that they seek.

This calls for action to coordinate and increase the Atlantic nations' aid to developing countries. In this task we must take full advantage of the Development Assistance Committee of the OECD.

It calls for action to expand world trade. This means that we cannot afford to let the Kennedy round fail.

It calls for action to enlarge world monetary reserves to meet the most pressing requirements of both developing and industrialized areas.

Whether action is taken in each of these fields will depend, in good part, on how seriously your countries and mine address these tasks. For it is our resources and our skills that are in good part involved.

The needs of emerging countries continue to grow. As in Europe after World War II, their security as well as their growth must be assured, if they are not to become a focus of ever-widening conflict.

All of us have a stake in that security. The Atlantic nations cannot survive as an island of stability in a world of chaos.

The threats to this security may be subtle or indirect; that does not make them any less real.

A better world cannot be built by turning away from the difficult and dangerous business of meeting these threats.

This is common business, because all our interests are at stake.

Political consultation should be the means of discharging common business—the means of arriving at common action.

Such consultation, in its quiet way, is gradually becoming a habit in the alliance. There are now few subjects of international importance which are not discussed, day in and day out, by the North Atlantic Council.

More needs to be done. The practice of bringing together the senior officials who have responsibility in home governments has been successful in the OECD. It may prove increasingly rewarding in NATO.

Intimate and continuing concert of action is also fostered by parliamentary meetings such as this. The proposal for an Atlantic Assembly, which has been approved by this group, looks to the same end. I hope it can be fulfilled.

But let us be clear: Consultation will not be assured by effective mechanisms, alone.

The responsibilities and burdens of common effort go hand in hand. Consultation will be effective in the degree that it looks to action. Common decisions will come most readily to those countries willing to share in the effort that these decisions govern.

I turn now to a second area in which joint action is needed: Averting spread of nuclear weapons under national control.

There will be no security for any of our countries if the authority to let loose these weapons proliferates.

There are three ways in which the Atlantic nations can—and must—act together to avert this peril.

First, we must assure that Atlantic nuclear arrangements offer our European partners an effective alternative to national systems of deterrence.

It is natural that European countries, with new strength and confidence, should wish to play a larger role in their own defense.

My country is ready to join with them in effective action to this end.

There will be continuing discussion of such action among interested nations in the period ahead.

We must also consider how best to meet the concerns of key nonnuclear countries outside the Atlantic area—concerns which might otherwise move these countries to consider national deterrence.

Last October, President Johnson said, in speaking of the first Chinese Communist nuclear explosion: "The nations that do not seek nuclear weapons can be sure that if they need our sure support against some threat of nuclear blackmail, then they will have it."

I hope that interested Atlantic nations can work together—in the United Nations, in disarmament negotiations, and elsewhere—in seeking ways to fulfill this pledge.

We must also continue to seek a common approach to arms negotiations with the U.S.S.R.

In the recent Geneva Conference a large measure of Western agreement was reached on a proposed nonproliferation treaty. We hope that the Soviet Union will, over time, reconsider its abrupt rejection of this proposal.

At this same Conference, key nuclear capable countries made clear that reductions in existing nuclear armaments could play an important part in encouraging and insuring nonproliferation. Ambassador Goldberg has recently laid before the United Nations American proposals for freezing and reducing nuclear capabilities.

In seeking to reduce armaments, as in other areas of negotiation with the U.S.S.R., Western unity will be essential, if there is to be any chance of success. Atlantic nations that come together to share in nuclear defense should share, no less, in the search for prudent ways of limiting the burdens and dangers of that defense.

But defense of the status quo is not good enough as a purpose of Atlantic action. In trying to build a better world we must seek peacefully to erode the tragic and unnecessary division of Europe.

The nations of Eastern Europe are finding new paths. Closer contacts between these nations and the Atlantic world can best be sought on a basis of common understanding in the West.

The effort to develop such closer contacts is not directed against any nation, least of all the Soviet Union. We seek to end existing divisions in Europe, not to create new ones.

The most grievous of these existing divisions is the enforced partition of Germany. The German people, like any other, must be allowed to choose and shape its own future. The need is to afford the German people that choice, while meeting the security concerns of all with a stake in European peace.

I have spoken of fields in which action is required.

There is the need, as well, for our alliance to more greatly develop our cooperation in such fields as outer space. For we must together insure that space will be a source of man's peaceful progress and not a threat to that progress.

In each of these things, the key to success will be common effort.

Atlantic nations which mount such effort will have done much to carry forward the purpose of their partnership: creating a better world.

If we fail and fall apart, future generations may well look back on our time as we look back on the period between the wars: an interlude in which men forgot the harsh lessons of disaster, and thus lost the chance to build anew.

The need is clear.

It is for each of us here to help decide whether it will be met.

HIS HOLINESS, POPE PAUL VI—AN EMISSARY FOR PEACE

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

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

There was no objection.

Mrs. KELLY. Mr. Speaker, October 4 will long be remembered not only as a historic event for those of the Roman Catholic faith but also as a unique endeavor to secure a just peace for the world.

The visit of his holiness, Pope Paul VI to New York was one of the great moments of history because it marked the first visit of a reigning pontiff to the New World. Discovered as it was by a man of Italian origin, Christopher Columbus, and dedicated in its Constitution to spiritual, intellectual, and physical freedom for all its people, it was meaningful that another man of Italian origin should journey to the shores of the United States on a pilgrimage of peace to plead for the rights of all peoples.

The Pope's presence brought moral strength to the United Nations, faltering in this changing world, in its purpose to bind men together. His message of peace underscored the ultimate purpose of this world organization—its total commitment to peace.

In speaking of the worth and necessity of the United Nations Charter, his holiness reminded the nations of the world that the edifice of peace which they are constructing does not rest upon merely material foundations, for it would then be a house built upon sand; its base is in fact, the conscience of man. Scientific discoveries do not endanger the lives of men or threaten to end human progress, Pope Paul declared, for they can be utilized for the good of man. Instead, the danger is man himself, when he employs the tools devised by science for war instead of using them as a means to better the lot of his fellow men.

The Pope characterized his visit to the headquarters of the United Nations as an opportunity for a moment of reflection upon spiritual values—a moment to remember our common origin, our history and our common human destiny. Most importantly, by encouraging us to regard the rights of our fellow men as we do our own, His Holiness also gave us cause to reaffirm our goals and to strengthen our convictions in undertaking the betterment of all men.

It was indeed auspicious that October 4, the day of the Pope's pilgrimage for peace, was also a day dedicated by the Catholic Church to the Saint of Peace, St. Francis of Assisi. I would like to conclude my tribute with the prayer of St. Francis, from which Pope Paul quoted on several occasions during his trip to the United Nations and which will be remembered as an often quoted favorite of Eleanor Roosevelt:

Lord, make me an instrument of Thy peace; where there is hatred, let me sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy.

O Divine Master, grant that I may not so much seek to be consoled as to console; to be understood as to understand; to be loved, as to love; for it is in giving that we receive, it is in pardoning that we are pardoned, and it is in dying that we are born to eternal life.

STATES COMMENT ON POWERS FOR HIGHWAY BEAUTIFICATION

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. EDMONDSON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. EDMONDSON. Mr. Speaker, a few days ago the distinguished gentleman from Florida [Mr. CRAMER] commented briefly on the proposed Highway Beautification Act of 1965, and gave us information—CONGRESSIONAL RECORD, October 1, 1965, page 25750—indicating that 18 States may have to amend their State constitutions in order to bring their laws in compliance with the provisions of the proposed Beautification Act.

This point was also set out in the statement of minority views accompanying the report of the House Public Works Committee on S. 2084.

It is very difficult for me to understand the suggestion that 18 States would have to amend their constitutions in order to enact statutes for the reasonable control of billboards and junkyards along Federal-aid highways. Information to this effect is at variance with information furnished to the Bureau of Public Roads, in response to a questionnaire sent to the legal counsel of all State highway departments last March. I call the attention of the House to the data set forth on pages 30 through 32 of the committee hearing record on the highway beautification bill.

Further, in an effort to clear up some of the confusion that has undoubtedly developed on this point, the General Counsel of the Bureau of Public Roads a few days ago sent an inquiry to the highway department legal advisers of the following 18 States: Alaska, Arizona, California, Colorado, Georgia, Idaho, Louisiana, Maryland, Mississippi, Missouri, Montana, New Hampshire, Oregon, South Carolina, South Dakota, Tennessee, Vermont, and Wyoming.

The text of the recent inquiry from the General Counsel of the Bureau of Public Roads to the legal counsel for the State highway departments of the 18 States in question is as follows:

TEXT OF INQUIRY OF THE DEPARTMENT OF COMMERCE, BUREAU OF PUBLIC ROADS, WASHINGTON, D.C.

S. 2084 which relates to billboard and junkyard control on interstate and primary systems was reported by House Committee on Public Works on September 22, House Report No. 1084. Under this proposed legislation, on-premise advertising, i.e., signs advertising activities on the property on which sign is located would not be subject to Federal standards. Signs would be authorized in commercial or industrial areas in accordance with criteria agreed to by State and Bureau of Public Roads. Otherwise, the proposal would prohibit signs within 660 feet of right-of-way on interstate and primary systems. With respect to signs in existence as of September 1, these would not have to be removed until July 1, 1970, and the Federal share of compensation for removal would be 75 percent. The legislation assumes the States will obtain effective control of future erection of signs under police power of State or otherwise as may be provided under State law.

Junkyards are to be controlled within 1,000 feet of the right-of-way except in industrial areas. With respect to junkyards in existence on date of enactment, junkyards are either to be screened so as not to be visible from highway or, if screening not practical, removed by July 1, 1970 The Federal share of compensation for screening or removal of junkyards in existence on date of enactment is 75 percent. With respect to junkyards established after date of enactment, the legislation assumes the States will obtain effective control under police power of State or otherwise as may be provided under State law.

States would be subject to 10 percent reduction in highway fund apportionments made on or after January 1, 1968, if control of billboards and junkyards not obtained as provided in bill.

Several months ago you responded to Bureau questionnaire of March 1 re police power control of junkyards under provisions of

a proposal then under consideration. Please refer to your response to that questionnaire.

It will be greatly appreciated if you could give this matter your prompt attention and advise us whether in your opinion your State legislature would have legal authority under existing provisions of your State constitution to enact appropriate statutes obtaining control of billboards and junkyards as above described as condition to receiving Federal-aid highway funds. We will greatly appreciate your response by wire by next Tuesday, October 5.

Copy of bill and committee report have been mailed special delivery and should reach your office Monday morning.

DOWELL H. ANDERS,
General Counsel,
Bureau of Public Roads.

OCTOBER 3, 1965.

Understandably, the Counsel of the Bureau of Public Roads was not able in all instances to get a prompt response from each of the 18 States on extremely short notice, with specific comments from the legal counsel of the State highway departments on the bill, S. 2084, recently reported by the House Committee on Public Works.

The Bureau of Public Roads did receive replies from 14 of the 18 States previously mentioned.

It appears that 7 of these 14 States could enact appropriate State legislation on billboard and junkyard control without the necessity of amending their State constitutions. The other seven States gave qualified responses indicating, in various degrees, the possibility of some State constitutional question.

The substance of the responses which the Bureau received are as follows:

Arizona: The only State constitutional question applies to the use of highway funds outside the rights-of-way. No constitutional question about the use of general State funds or about other aspects of S. 2084. See text of telegram.

California: No categorical answer given. May be some legal questions. See text of telegram.

Colorado: No State constitutional problem. See text of telegram.

Georgia: No State constitutional problem. See text of telegram.

Idaho: There appears to be no State constitutional problem. See text of telegram.

Louisiana: "Possible constitutional amendment." See text of telegram.

Maryland: "Constitutional amendment not required." See text of telegram.

Montana: State constitution would not have to be amended. See text of telegram.

New Hampshire: State constitution would not have to be amended. See text of telegram.

Oregon: May be State constitutional question. See text of telegram.

South Carolina: Is some question but "some decisions this State indicate fair chance of sustention." See text of telegram.

Tennessee: May be State constitutional problem. See text of telegram.

Vermont: May be State constitutional problem. See text of telegram.

Wyoming: Should be no State constitutional problem. See text of telegram.

The texts of the telegrams received from these States are as follows:

ARIZONA

PHOENIX, ARIZ.,
October 5, 1965.

DOWELL H. ANDERS,
General Counsel,
Bureau of Public Roads,
Matomic Building, Washington, D.C.:

In response to your telegram of October 3, a qualified answer must be given with respect to both the billboard and the junkyard features of S. 2084.

Greatest impediment is article 9, section 14 of the constitution of Arizona which prohibits the use of moneys derived from fees, excises, or license taxes relating to regulations, operation, or use of vehicles on public highways, or to fuels used for the propulsion of such vehicles—for other than cost of administrating such laws, statutory refunds and adjustments provided therein, payment of highway obligations, cost of construction, reconstruction, maintenance and repair of public highways and bridges.

While above constitutional provision does not include all the moneys constituting the State highway fund, the legislature has historically imposed this same limitation upon other sources. Administratively, therefore, the highway department has never segregated the moneys it receives but has commingled all sources in the State highway fund.

Before the highway department could embark upon the S. 2084 program, certain fiscal statutes would have to be amended, and the highway department would have to enter upon a system of segregating its sources of revenues, which would be better if authorized by statute.

I would personally rather have article 4, section 14 of our constitution amended since in the final analysis our State courts would have to construe the legislation necessary to effectuate S. 2084.

The above conclusion is arrived at for a more practical reason. It is doubtful if the highway department's sources of revenue which are separate and apart from article 9, section 14 revenues are sufficiently large to accommodate the program contemplated in S. 2084.

JOHN T. AMEY,
Chief Counsel,
Arizona Highway Department.

CALIFORNIA

SACRAMENTO, CALIF.,
October 5, 1965.

Mr. DOWELL H. ANDERS,
General Counsel, Bureau of Public Roads,
Washington, D.C.:

Re your telegram of October 2, 1965, requesting legal opinion on S. 2084 as amended on September 22, 1965. Relative to billboard and junkyard control on interstate and primary systems. No categorical answers can be made to the questions of whether the California Legislature would have legal authority under our State constitution to enact statutes effectively controlling billboards or junkyards as provided for in S. 2084 as a condition to receiving full Federal aid highway funds.

Roadside advertising can be controlled under the police power, subject to reasonable limitations. Control of roadside junkyards by screening has been held to be an unconstitutional exercise of the police power (*Peo.* v. *Dickinson*, 171 Calif. App. 2d 872, 1343 P. 2d 809 cert. denied). Compensation for such screening will be required except where all, repeat all, abutter's rights have been acquired.

The acquisition of advertising signs and the payment for the removal or disposal of junkyards may be unconstitutional in view of article 1, section 14½ of the California constitution, which limits the authority of the State to acquire by purchase or condemnation property adjacent to a State highway to parcels lying wholly or in part within a distance of 150 feet from the closest boundary of the highway, except as to parcels which lie only partially within the limits of 150 feet only the part within the nearest 200 feet may be acquired. (*Peo.* v. *Garden Grove Farms*, 231 Calif. App. 2d 666; 42 Calif. Rptr. 118.) California constitution, article 1, section 14½, reads as follows:

"The State, or any of its cities or counties, may acquire by gift, purchase, or condemnation, lands for establishing, laying out, widening, enlarging, extending, and maintaining memorial grounds, streets, squares, parkways, and reservations in and about and along and leading to any or all of the same, providing land so acquired shall be limited to parcels lying wholly or in part within a distance not to exceed 150 feet from the closest boundary of such public works or improvements; *Provided*, That when parcels which lie only partially within said limit of 150 feet only such portions may be acquired which do not exceed 200 feet from said closest boundary, and after the establishment, laying out, and completion of such improvements, may convey any such real estate thus acquired and not necessary for such improvements, with reservations concerning the future use and occupation of such real estate so as to protect such public works and improvements and their environs and to preserve the view, appearance, light, air, and usefulness of such public works.

The legislature may, by statute, prescribe procedure. This constitutional provision is restated and made specifically applicable to condemnations by the California Department of Public Works in streets and highways code section 104.3. Streets and highways code section 104.3 reads as follows:

"The department may condemn real property or any interest therein for reservations in and about and along and leading to any State highway or other public works or improvement constructed or to be constructed. But the department may, after the establishment, laying out and completion of such improvement, convey out any such real property or interest therein thus acquired and not necessary for such improvement with reservations concerning the future use and occupation of such real property or interest therein, so as to protect such public work and improvement and its environs and to preserve the view, appearance, light, air and usefulness of such public works: *Provided*, That land so condemned under authority of this section shall be limited to parcels being wholly or in part within a distance of not to exceed 150 feet from the closest boundary of such public work or improvement; *Provided*, That when parcels which lie only partially within such limit of 150 feet are taken, only such portions may be condemned which do not exceed 200 feet from said closest boundary."

It is our opinion that article 1, section 14½ of the California constitution and streets and highways code section 104.3 relating to preserving space along highways so as to protect the public work and its improvement may limit the authority of the department to effectively control billboards or junkyards by the power of eminent domain. In addition, there may be an unconstitutional diversion of highway funds (California const., art. XXVI). If the legislature authorizes the use of highway funds to pay the State's share of 25 percent as compensation for the acquisition of signs and as compensation for the removal of junkyards.

The above answers constitute the legal opinion of the department of public works in light of the present state of our law and with the understanding that California or Federal courts in a particular case could well reach

a different conclusion in interpreting California law.

HARRY S. FENTON,
Chief Counsel,
Department of Public Works.

COLORADO

DENVER, COLO.,
October 6, 1965.

DOWELL H. ANDERS,
General Counsel for the U.S. Department of Commerce, Bureau of Public Roads, Washington, D.C.:

In reply to your telegram of October 4, it is our opinion that our State legislature has sufficient legal authority under existing provisions of our constitution to enact appropriate statutes to control billboards and junkyards as contemplated in S. 2084 as a condition to receiving Federal aid highway funds. No constitutional amendments will be necessary and I have so advised Hon. FRANK E. EVANS, one of our Congressmen. New legislation on the State level would, however, be required.

JOHN P. HOLLOWAY,
Chief Highway Counsel,
Assistant Attorney General.

GEORGIA

ATLANTA, GA.,
October 5, 1965.

DOWELL H. ANDERS,
General Counsel, U.S. Department of Commerce, Bureau of Public Roads, Washington, D.C.:

Original message sent to Dowell H. Anders, General Counsel, U.S. Department of Commerce, Bureau of Public Roads, Washington, D.C., copy to Richard L. Chambers, New York City. Under Georgia constitution control of billboards and junkyards adjacent to Federal aid highways can be had under power of eminent domain. Do not believe additional legislation necessary as to billboards since we have outdoor advertising statute. May require legislation in regard to junkyards.

RICHARD L. CHAMBERS.

IDAHO

BOISE, IDAHO, *October 5, 1965.*

DOWELL H. ANDERS,
General Counsel, U.S. Bureau of Public Roads, Washington, D.C.:

Having considered your telegram and information submitted by special delivery letter, I am of the opinion that article I, section 14, Idaho constitution may possibly be construed to permit bringing of eminent domain proceedings to acquire billboard, junkyard, and beautification easements provided legislature amends section 7–701, Idaho Code, to provide that such uses are uses authorized by law. It is felt that use of police power would not be possible to eliminate billboards. County zoning may prevent establishments of future junkyards. Removal of existing junkyards could probably not be accomplished without power of eminent domain and payment of just compensation.

Article VII, section 17, Idaho constitution, has been narrowly interpreted by Idaho Supreme Court limiting highway user funds for exclusive use of construction, repair, maintenance, and traffic supervision of public roads and no other purposes whatsoever. Such constitutional provision might be interpreted by our court to prohibit use of user funds to purchase billboard and junkyard rights even if permitted by statutory amendment to eminent domain sections.

Idaho Code, title 40–107, 110, 304 probably would permit expenditure of highway user funds for roadside development and beautification providing eminent domain statutes were amended to permit acquisition of required land for same.

FABER F. TWAY,
Chief Legal Counsel,
Idaho Department of Highways.

LOUISIANA

BATON ROUGE, LA.,
October 5, 1965.

DOWELL H. ANDERS,
General Counsel, Bureau of Public Roads, Washington, D.C.:

It is the opinion of this office that the police power of the State, in accordance with present legislation, would not allow control as required in your wire. It is the further opinion of this office that full implication of the provisions as outlined in your wire could not be effected by the State under present State law without legislative enactment or possible constitutional amendment.

NORMAN L. SISSON,
Executive Assistant General Counsel.

MARYLAND

BALTIMORE, MD.,
October 5, 1965.

DOWELL H. ANDERS,
General Counsel, Bureau of Public Works, Washington, D.C.:

State has authority to regulate billboards through police power. State has authority to regulate junkyards by eminant domain, additional legislation probably required. Doubt if junkyards can be regulated to meet proposed Federal requirements through police power. Constitutional amendment not required in either case.

JOSEPH D. BUSCHER,
Special Assistant Attorney General for the State Roads Commission.

MONTANA

HELENA, MONT., *October 5, 1965.*

DOWELL H. ANDERS,
General Counsel, Bureau Public Roads, Matonic Building, Washington D.C.:

Replying to your inquiries of October 4, relative to S. 2084, we can see no constitutional or other legal reasons why the Legislature of Montana could not enact a law prohibiting signs within 660 feet of our highway right-of-way on primary and interstate highways in order to conform with S. 2084. We would presume that such legislation, however, would be tested in our State courts. In all probability our State courts would consider a sign or billboard on private property as a personal right for which the landowner would receive just compensation. In answer to Bill Furnier's telephone inquiries of October 4, relative to the legality of expending Montana highway funds for billboard removal and junkyard control, we believe there is a serious constitutional question as to whether our State highway funds could be used for this purpose. We call your attention to article 12, section 1(B) of the Montana constitution which reads as follows:

"SECTION 1(B). No moneys paid into the State treasury which are derived from fees, excises, or license taxes relating to registration, operation, or use of vehicles on the public highways or to fuels used for the propulsion of such vehicles except fees and charges paid to the Board of Railroad Commissioners of the State of Montana and the public service commission of Montana or its successor or successors by motor carriers pursuant to law, shall be expended for other than cost of administering laws under which such moneys are derived, statutory refunds and adjustments provided therein, payment of highway obligations, cost of construction, reconstruction, maintenance and repair of public highways, roads, streets, and bridges, and expenses authorized by the State legislature for dissemination of public information relating to the public highways, roads, streets, and bridges of the State of Montana and the use thereof."

It would appear that we would of necessity have to amend the above-cited constitutional section by a referendum vote.

As reported before Montana has a new junkyard law passed in 1965; however, it would appear that the junkyard law would also need amendment to conform with S. 2084. I trust this answers your inquiries.

DONALD D. MACPHERSON,
Chief Counsel,
Montana Highway Commission.

NEW HAMPSHIRE

CONCORD, N.H.,
October 4, 1965.

DOWELL H. ANDERS,
General Counsel,
Bureau Public Roads,
Department of Commerce,
Washington, D.C.:

Am in receipt of your telegram to Assistant Attorney General Moran dated October 4, 1965, relative to S. 2084, report No. 1084. You specifically asked whether or not there is any impediment imposed by the New Hampshire constitution relative to New Hampshire State legislative action in enacting legislation to supplement at the State level S. 2084 as a general premise it would appear that no impediment is so imposed by the New Hampshire constitution however is to any specific piece of legislation to be adopted by the State legislature a more detailed analysis of the particular law would be required and I could decline to comment until such time as said proposed legislation was presented to this office for an opinion. I do not think there would be any constitutional difficulty in State implementation of S. 2084. Please note New Hampshire RSA 249–A also New Hampshire laws 1965, chapter 372 (New Hampshire RSA 267–A).

R. PETER SHAPIRO,
Assistant Attorney General,
State of New Hampshire.

OREGON

SALEM, OREG.,
October 4, 1965.

DOWELL H. ANDERS,
General Counsel,
U.S. Department of Commerce,
Bureau of Public Roads,
Washington, D.C.:

In reply to your October 3 wire concerning S. 2084 there is serious doubt, in our opinion, without the legislature having enacted appropriate legislation, including the amendment of article 9, section 3 of the Oregon constitution, coupled with an Oregon Supreme Court decision, that the Oregon Highway Department can acquire for public use the existing signboard and junkyard rights as required by S. 2084.

This is our personal opinion and is not an expression by the attorney general of Oregon.

The next regular session of the Oregon Legislature will be in January 1967. Any amendment of the constitution requires a majority vote of the people at the next general election in November 1967, unless a special election is ordered by the legislature.

FRANK C. MCKINNEY,
Acting Assistant Counsel.

SOUTH CAROLINA

COLUMBIA, S.C.,
October 4, 1965.

DOWELL H. ANDERS,
General Counsel,
Bureau of Public Roads,
Washington, D.C.:

Re S. 2084, control of billboards and junkyards in manner proposed by bill is of doubtful constitutional validity. This conclusion should be received with reservation that some decisions this State indicate fair chance of sustention. The issue is similar to attempting to fathom how U.S. Supreme Court will act on habeas corpus.

DANIEL R. MCLEOD,
Attorney General,
State of South Carolina.

TENNESSEE

NASHVILLE, TENN.,
October 4, 1965.

DOWELL H. ANDERS,
General Counsel,
U.S. Bureau of Public Roads,
Washington, D.C.:

Am of opinion controls required in said bill unenforcible through police power under Tennessee law. Enforcement through exercise of eminent domain doubtful. Please refer my letter to you dated June 16. Junkyard and billboard bills referred to in said letter passed but constitutional questions will probably not be raised for reasons set out in said letter. Am of opinion Tennessee Legislature has no authority under existing provisions of Tennessee constitution to enact legislation pursuant to requirements of S. 2084.

LURTON GOODPASTURE ROW,
Attorney, Tennessee Highway Department.

VERMONT

MONTPELIER, VT.
October 4, 1965.

DOWELL H. ANDERS,
General Counsel,
Bureau of Public Roads,
Washington, D.C.:

Re your October 4, 1965, telegram to L. P. Peck, chief counsel, State highway department re S. 2084. Peck advises State can control billboards, junkyards, as exercise of police power but not, repeat not, "where the exercise of such power would be warranted solely on esthetic considerations (*Vermont Salvage Corp.* v. *Johnsbury*, 113 Vermont 341–34 A 2d 188). Unconstitutional if such is sole consideration. Peck believes it may be difficult to demonstrate to courts—particularly in case of junkyards—that it is not based solely on esthetics.

JAMES P. SPRAGUE,
Division Right-of-Way Officer.

WYOMING

CHEYENNE, WYO.,
October 4, 1965.

DOWELL H. ANDERS,
General Counsel,
Bureau of Public Roads,
Washington, D.C.:

Our opinion legal authority exists under State constitution of our legislature to enact billboard and junkyard control statutes. Control measures should however be considered to be in the category of highway construction or maintenance in order to avoid antidiversion amendment to the State constitution. As litigation can reasonably be anticipated we believe Secretary of Commerce should have discretionary power to waive penalty provisions where State makes good faith effort to establish effective control.

GLENN A. WILLIAMS,
Assistant Deputy Attorney General,
Wyoming Highway Department.

ROAD OFFICIALS HEAR OUTSTANDING MESSAGE

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. EDMONDSON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. EDMONDSON. Mr. Speaker, this week a distinguished colleague, Chairman JOHN C. KLUCZYNSKI, of the Subcommittee on Roads of the Committee on Public Works, made a speech before the 51st annual meeting of the American Association of Highway Officials which I believe contains some very important thoughts for consideration of all of us.

In this speech, Chairman KLUCZYNSKI has bypassed the traditional and historical approaches to the building of highways, and taken a clear look at the future, and the roles roads and highways will play in the growth and development of a nation which is increasingly conscious of the automobile.

Chairman KLUCZYNKI has outlined in his speech the ways road and highway design and policies contribute, for good or bad, to the shape of our cities, our suburbs, our countrysides. I recommend these thoughts to my colleagues, and I would like Chairman KLUCZYNSKI's remarks to be printed at this point in the RECORD:

ADDRESS BY THE HONORABLE JOHN C. KLUCZYNSKI, OF ILLINOIS, CHAIRMAN, SUBCOMMITTEE ON ROADS, BEFORE THE 51ST ANNUAL MEETING OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY OFFICIALS, OCTOBER 4, 1965

Senator RANDOLPH, Chairman FALLON, Mr. McMorran, Mr. Shadburn, fellow guests, and members of the American Association of State Highway Officials, good morning, and my most sincere greetings to each of you. To say that I am honored to have this opportunity to meet and talk with you is to express my feelings in minimum words. As chairman of the Subcommittee on Roads, and as a private citizen who does a perhaps uncommon amount of driving on the highways, expressways, and byways of this great country of ours, I have developed an acute appreciation for the problems with which you deal and the remarkable store of ability and talent you bring to bear on those problems.

I have served on the Roads Subcommittee for some years, and I have not been unaware of its almost incredible responsibilities in terms of the national welfare and the expenditure of public funds, but I must confess that serving under the able chairmanship of GEORGE FALLON, who bore the major share of the responsibility for the subcommittee's actions, was one thing—having to carry that load as chairman is another matter. If anyone has ever stopped to wonder why all the ranking members of the Public Works Committee, on both sides of the aisle, serve on the Subcommittee on Roads, let me assure him now that it is because its range of responsibility is, in truth, the entire range of the full committee itself, and beyond.

That scope of responsibility is also yours, as the State officials who must give effect to the programs we enact, the requirements we establish, and the goals for the future that we set before you. The high regard in which we hold your association, and your individual State highway departments, has been stated many times. That esteem grows greater with every passing year, for with each year the challenges you must—and do—meet grow the greater.

It has been the custom, I think, and perhaps rightly so, for your guests to address themselves primarily to specific highway problems of immediate urgency. With your indulgence I should like, this morning, to range a broader field—for the challenges before us are broad indeed.

They are not entirely new ones, of course. Rather, they are vast new concepts welded to old and familiar ones. We have dealt for a long time with how to construct a safe, efficient, well-located, lasting highway, and then, having built it, with how to maintain it. I think we have come today to the place where we can look at that once overwhelming, but now grown narrow, interpretation of our professional field only with nostalgia.

Today, we are no longer just roadbuilders. We must be prepared, instead, to plan our highways so they will aid in local and regional industrial development, so we must become economists. We must devise technological means of constructing our highways, and plans for locating them, so as to minimize to the fullest, and eventually eliminate, the disastrous effects of nature gone rampant with onslaughts of wind and water. So we must become scientists, and geographers, and ultimately flood plain planners.

We must be prepared to recommend how best the planning of urban renewal, of school and hospital and industrial and public utility construction, of spreading residential development, and of increased recreational opportunity, can be aided by coordinated highway and transportation planning. So we must become sociologists and land-use consultants.

To accomplish this, we will have to keep not only abreast, but often ahead, of the work the capable professional men trained in these many fields will be doing. If the expertise that rests with your departments is to make its great potential contribution, you must be prepared to venture with both imagination and determination into the whole of social development.

The Federal Government has enacted, and I am convinced will continue to enact, the broad programs to achieve the society for which we strive. But even if endowed with the best will in the world, the Federal Government does not have either the intimate local knowledge or the capacity to solve problems which are, in essence, local or regional in nature. The Federal Government may create the programs, but it is you and your colleagues who must breathe life and force into them.

So we must take on more fully than ever before the task of applying our basic objective, the Nation's highways, to the Nation's development in many other directions. To do that, we will have to face up to the fact that new and radically different concepts will be demanded of us. Highways alone will no longer meet the need to transport the thousands upon thousands of people in our ever swelling and sprawling metropolitan areas. Traditional ideas of parking facilities will no longer contain the thousands of automobiles that daily descend upon our central cities and, in ever increasing instances, not even in the decentralized suburban areas. Highway fatalities and injuries can no longer be a hideousness with which we try to cope—the toll is too great—we must find the means to bring it to an end now. And certainly, however we ultimately accomplish it, our highways must not merely take us efficiently from one place to another, they must also do it pleasantly, with structural harmony and natural beauty.

The motor vehicle is a relatively recent addition to man's progress, but the passion with which we have embraced it, both for private pleasure and convenience and for national economic development, has been fantastic and is daily growing more so. Our absolute dependence on fast, efficient transportation of all forms leaves us no choice. We must enlarge our scope at all levels, to insure that transportation planning is done first, not last.

Some exceptionally effective public relations work, from the Congress all the way down to the village, is going to be called for. In coordinating transportation with economic and social development, we are going to encounter experts in other fields who do not understand our basic problems, and we will have to educate them. We are also going to encounter some very sound but unfamiliar concepts we may not like, and in turn take some educating ourselves. I am confident it will be all to the good.

Many of us will not live to see the full fruition of the programs we have put in hand in the last few years and the vast new programs we have enacted during this Congress, but our children will, and the children who come after them. They have already probably enjoyed a larger share of the Nation's prosperity than any generation in our history. They are, therefore, uninhibited by the recollection of depression so many of us know so well. Little by little we have accustomed the upcoming generation to the best, and they are therefore going to demand the best, whether it be education, or clean and sufficient water, or maximum transportation systems.

They have little knowledge of the back-breaking struggle it has taken to reach our present state of progress, and I think they tend to regard that struggle as little more than interesting history. They are not looking back. They look squarely into the future, and I believe they expect the future to measure up to the noble promise we hold out to them.

We will begin the task of turning the noble promise into reality. It will be up to them to complete the job. We have the tools, or lacking them, the imagination and resource to develop them. Our young people know this. Their faith in our technological potential is almost frightening.

But the most important thing we can give them is not technology. Our greatest challenge, in the Congress, in the State legislatures, in the State highway departments, and as private citizens in our own communities, is to demonstrate by our own example to the generation who will succeed us that what it really takes to do the job is dedication and determination—the will to make our efforts contribute to the total community—to work, if you will, beyond the call of duty.

If we can pass on to them that one essential value, we will not only have started them on the road to a greater society, we will have given them the resource of character with which to enjoy and perpetuate it.

QUESTIONS ARE ANSWERED ON HIGHWAY BEAUTIFICATION

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. EDMONDSON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. EDMONDSON. Mr. Speaker, many questions have been raised during the past few weeks on the subject of S. 2084, the Highway Beautification Act of 1965.

Most of them are the products of misinformation, or a simple lack of information, regarding the details of this measure and the plans of the Secretary of Commerce for administration of the program authorized by S. 2084.

Members of this body will find many answers to the questions being presented to them in the report of the Committee on Public Works which accompanies this bill. It is an excellent report, and its conclusions are fully supported by the committee's extensive hearings.

Some of the questions most frequently heard on S. 2084 were submitted to the able public official who will bear a major portion of the responsibility for the measure's administration, the Honorable Alan S. Boyd, Under Secretary of Commerce for Transportation.

The Under Secretary's letter in response to these questions, together with the actual questions and the answers thereto, are being made available at this time for the information of all who are interested:

THE UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION,
Washington, D.C., October 6, 1965.

Hon. ED EDMONDSON,
House of Representatives,
Washington, D.C.

DEAR MR. EDMONDSON: In connection with the development of the highway beauty legislation designated S. 2084, you have stated that a number of questions about the application and impact of the legislation have been raised. You would like answers to these questions.

I am pleased to submit the answers to these questions in an attachment to this letter. I trust you will find the answers responsive to the questions.

With my kindest regards, I am

Very truly yours,

ALAN S. BOYD.

QUESTIONS ON HIGHWAY BEAUTY

Question. Will this legislation put billboard companies out of business and thereby cause some unemployment?

Answer: It is not believed that this legislation will "drive billboard companies out of business." Undoubtedly, there are now existing billboards in some areas which will come under the control provisions of this bill and therefore the signs would be subject to removal in 5 years. In these cases, however, the adverse effects of such removal will certainly be mitigated by the provision for payment of compensation to the billboard owners.

Furtherfore, this legislation does not even regulate onpremise advertising and it does not prevent billboard signs from being erected and maintained in commercial and industrial areas whether these areas are zoned or unzoned.

With the continued growth of the Nation's economy, there will be an inevitable increase in the number of commercial and industrial areas adjacent to the Interstate and primary systems. Outdoor advertising signs could, of course, be maintained in these new commercial or industrial areas. Therefore, the opportunities for outdoor advertising will not remain static. Obviously, we can expect these opportunities to continue to grow and expand.

Furthermore, we can reason that, by providing for some degree of order in the number of signs that will be seen along our highways, the economic value of those signs that will be in existence and used will be enhanced. Therefore, a billboard company is very likely to find itself in the position of having a more valuable product, earning the company more revenue, than would be the case in the future if the same company had to compete along with an unbridled proliferation of countless other outdoor signs.

Question. Will this legislation drive roadside motels and restaurants out of business because the motorist will not be informed that they are available and open for business?

Answer. The answer to this question is "No."

Signs advertising motels and restaurants can, under this legislation, be erected in commercial and industrial areas.

Furthermore, on-premise signs can be erected under this legislation. This legislation does not regulate in any way on-premise advertising—that is, a sign which is advertising activities on the premises on which the sign is erected.

Furthermore, on the Interstate System, this legislation authorizes the erection of official signs within the right-of-way which gives the motorist information about the location of roadside facilities, such as restaurants or motels, and provision is made to have in a dignified and appropriate fashion references to specific names of restaurants or motels.

The experience of those States which have or which did sign agreements under the billboard bonus law for control of billboards along the Interstate System, and 25 States signed such an agreement, has shown that the control of billboard advertising along the highway does not drive the restaurants and motels out of business.

Question. Does this bill permit commercial signs to be erected within the right-of-way under the guise of official signs?

Answer. The answer to this question is "No." There is a provision in the bill to require the Secretary of Commerce to do a more complete job and do a better job for the convenience of the traveling public, in giving necessary information on official signs which are erected in the rights-of-way.

There is no reason in the world why this is not a good provision. Everybody knows that quite often the simple sign of "food, fuel, and lodging" at the next turnoff on an interstate route is not sufficient information for the motorist. There is no reason why the motorist cannot be informed, by a dignified and appropriate official sign, that at the next turnoff there are certain service stations which sell specified brands of gasoline, or that there are certain restaurants or motel facilities.

This bill does not attempt to spell out in detail what will be on these more complete informational signs but leave that to be worked out by the Secretary of Commerce, in consultation with the States and with the private business interests concerned.

This provision is in the public interest because it will be a better service for the traveling public.

This provision is in the business interest because it will provide more complete information concerning the food, fuel, or lodging facilities which are actually available along our Interstate System.

Question. Is the provision for payment of compensation for billboards or junkyards inadequate?

Answer. The answer to this question is "No." The language of the bill is for existing billboards or junkyards which have to be removed (or screened in the case of junkyards), "just compensation" shall be paid.

Of course, this bill does not provide for Federal funds to be paid to every landowner for every inch of ground adjoining the interstate and primary systems, on the premise that sometime in the future the landowner might want to put up a billboard sign or a junkyard.

To suggest that that sort of interest should be compensated runs contrary to every established concept of land use control in this country, established over a period of many, many years.

There is not a single State in the country which could seriously think about enactment of compensation laws to provide that the landowners of every bit of ground adjoining the Interstate and primary systems should be paid some sum of money on the theory that the landowner might conceivably think about having a billboard erected on his property at some indefinable date in some indefinable future. This sort of suggestion really would represent a raid upon the public treasury at both the State and Federal levels. There is no constitutional theory which requires this be done, and there is no basis in good judgment or public policy to give this sort of suggestion any serious consideration in this legislation.

This bill provides that the Federal Government would pay 75 percent of the compensation required in the case of billboard removals or junkyard removal or screening.

At the same time, the bill plainly states that such billboards or junkyards would not have to be removed, if presently existing, for 5 years, that is until 1970.

Question. Is it not unreasonable and a radical departure from previously established law to give the Secretary of Commerce authority to set national standards for directional and other official signs erected in the rights-of-way?

Answer. This is not a new provision in our law. The Secretary for many years has had authority to prescribe national standards for directional and other official signs and notices erected in the rights-of-way. This provision is continued in the present legislation as a matter of clarification and as a matter of good bill drafting, so that the relationship between the States and the Federal officials with respect to signs erected within the right-of-way is clearly set out.

Question. Doesn't this bill mean that there will be arbitrary Federal regulation of outdoor advertising signs which are erected in the commercial or industrial areas?

Answer. The answer to this question is "No." This bill provides that the commercial signs erected in the industrial or commercial areas shall be in accordance with criteria, as to sizes, spacing and lighting, which are agreed to by the States and the Secretary of Commerce. Obviously, there should be some thought of reasonable regulation on the number of signs, on the size, and on the type of lighting which adjoin our highways.

The principle of Federal participation in the promulgation of sign criteria is not a new one. That principle was firmly established and accepted by Congress under the billboard control law enacted in 1958. Under that law, the Secretary of Commerce was given authority to prescribe billboard standards which would be applied in the States which signed agreement and participated in the bonus payments under that law.

The action of the Bureau of Public Roads and the action of Secretaries of Commerce under that law have not been arbitrary or capricious.

The complaint about abuse of administrative authority is simply a figment of the imagination, which has no substance in fact.

Furthermore, this bill plainly provides that before the Secretary makes any decision about sign criteria or about unzoned areas, he will hold a hearing in each of the 50 States. He is required to work with the States in arriving at these decisions.

Furthermore, the actions of the Secretary of Commerce with respect to billboard control or junkyard control and whether or not he applies a penalty to any State are all subject to court review.

Question. Won't this bill mean that some small farmers will be deprived of some income which they have received from the lease of their land for billboards?

Answer. If the land in question is within 660 feet of an Interstate or primary road, and if the land is not in a commercial or industrial area, then under the provisions of this bill an existing billboard should be removed—by July 1, 1970.

This bill applies only to the Interstate and primary highways. This bill does not apply to the secondary or farm-to-market roads.

If a small farmer has land on an Interstate or primary highway, and he has a sign within 660 feet of the right-of-way, then he may very well lose some small amount of revenue after 1970.

But this is no reason for not passing legislation to obtain some effective and orderly control of billboards. The small farmer, or the large farmer, or the absentee landlord or any other kind of landowner, should not be regarded as having rights which override the public interest or the interest of American citizens who have spent literally billions of dollars to build the public highways.

The only interest in the land which we are talking about is a possible interest to have a billboard erected on it. The farmer's land, whether the farmer be big or little, would have absolutely no value as a site for a billboard if the people of America had not spent their tax money to build a highway through or adjacent to that land. There is nothing in the history of American law which says that the owner of a city block which is zoned residential, rather than commercial, should be paid a sum of money by the municipal government because he could not have his land zoned commercial. There is nothing in the history of American law which says that government should not provide, prospectively, for the reasonable regulation of land use.

If the landowner in question has land which is in a commercial or industrial area, zoned or unzoned, he will still be able to lease his land for billboard purposes. And because this legislation will undoubtedly effect some degree of orderly regulation on the number of signs in these areas, the result should be to make the signs which are erected more valuable and the amount of rent which the landowner can get should be more than he could get where any number of signs could be erected along a stretch of the highway.

Question. Isn't this bad legislation because it does not prohibit all billboards on the interstate and primary systems?

Answer. The answer is, "No."

While many people conscientiously believe that it would be better public policy to prohibit all commercial advertising along the interstate and primary systems, this philosophy is not accepted.

This legislation is not designed to prevent all outdoor advertising. It is designed to prevent a conglomeration and the unbridled proliferation of billboards along our major highways. This legislation is designed to protect the American public against the "billboard alleys."

This is not antibusiness nor antiadvertising legislation.

Outdoor advertising has a legitimate place as a legitimate business. Because of the failure to have in the past some reasonable and effective legislation on this subject, the outdoor advertising industry has found itself in the same position that countless other business activities have been in in the past. That is, the entire industry has suffered from the abuses of some but not all of the industry. However, in the nature of things, some Government action is required to bring a degree of order out of the chaos. This is no different from the situation where laws are required to prevent monopolistic practices or unfair trade practices. Those laws are not enacted in order to destroy business, but rather in order to protect business and to make the business activity serve a useful function within the framework of our free enterprise system.

That is the purpose of this legislation, with respect to the outdoor advertising industry and with respect to the operation or maintenance of junkyards. If effective steps are not taken now to obtain a reasonable degree of control, the situation will undoubtedly worsen to an extent so that at some time in the future an aroused public will demand drastic and even destructive legislation.

Question. Is this legislation grossly defective because it does not regulate on-premise advertising or on-premise signs?

Answer. The answer is, "No."

While some reasonable argument can be made that on-premise signs should be subject to criteria agreed to by the Secretary and the States, the fact of the matter is that the real problems which this legislation is designed to meet have nothing to do with on-premise advertising.

This legislation is aimed at preventing the continued proliferation of signs along vast stretches of our highways, signs which really do not often serve the convenience of the traveling public but rather are designed simply to remind the motorist about a particular drink, a food, or some other commodity.

Of course, there is nothing in this legislation which would prevent State or local authorities from regulating on-premise signs if that presents a particular problem in a State or locality. The legislation expressly states that nothing in it is intended to prevent the States from applying stricter limitations on billboards if the States wish to do that.

Question. Will this legislation which regulates billboards along interstate and primary systems result in having more billboards put up on the secondary roads?

Answer. The answer to this question is, "No."

Outdoor advertising is erected on those highways where there is the traffic.

Restrictions on outdoor advertising along the interstate and primary roads should have no appreciable effect, as such, on the amount of outdoor advertising which is placed on secondary roads. This is so because the restrictions on outdoor advertising along interstate and primary roads should have no effect on the volume of traffic which will use the secondary roads.

Therefore, there is no reason to assume that there will be any economic reason to encourage a large increase in billboards on the secondary roads.

Question. Should all incorporated cities or municipalities be exempt from billboard and junkyard regulation under this bill?

Answer. The answer to this question is "No."

There is no justification for making this arbitrary and discriminatory distinction against incorporated cities and municipalities.

Of course, there will be more commercial or industrial areas within incorporated municipalities than will be found outside the incorporated areas.

But this simply means that more outdoor signs will be permitted within cities and municipalities.

The national interest, the public interest, in the Federal-aid highways is no less—and in fact it is even more—in the incorporated municipalities. The same amount, and in fact more Federal dollars, are invested in the highways or roads located in the incorporated areas.

Experience has demonstrated that without some Federal leadership in the control of billboards and junkyards along the interstate and primary systems, it is extremely difficult for the States to act on their own. Experience has shown that it has been too easy to persuade one State that it should not take effective action in this area simply because other States are not doing the same. And experience has shown that where the lack of interest on the part of the Congress can be pointed to as an example, that is used as an example to the States to do nothing.

This legislation does not prevent advertising in incorporated municipalities. It provides for reasonable regulation, not prohibition.

Regulations or standards concerning billboards or junkyards cannot be unilaterally promulgated by the Secretary of Commerce or any other Federal official. The Secretary is required to consult with and reach agreements with the States. Before decisions are made, this legislation requires that there shall be a hearing in each of the 50 States.

Before the effective date of control in 1968, the Secretary is required to report to the Congress in 1967 concerning his proposed standards and regulations. This is a full year before the controls on junkyards and billboards are to go into effect.

This is reasonable legislation. This legislation will require reasonable administration. There is simply no reason to assume that the Bureau of Public Roads will be arbitrary or capricious in carrying out the provisions of this law any more than the Bureau is arbitrary or capricious in administering important provisions of the Federal-aid highway laws.

Question. Does this bill make the Secretary of Commerce a "zoning czar" with powers to dictate land use for all the States and local communities?

Answer. This is absolutely not the case. The Secretary is not given authority under this bill to be a zoning czar.

First, so far as billboard and junkyard control is concerned, the bill plainly and explicitly states that the determination of zoned commercial or industrial areas is entirely up to the States. There is a provision to provide that the Secretary and the States may agree as to what may be classified as unzoned commercial or industrial areas, solely for purposes of billboard or junkyard control. The plain purpose of this provision is fully explained in the record of the hearings before the House committee. That is, the purpose is to achieve an equality of treatment for those areas which are in fact used for commercial or industrial purposes but which may not be technically zoned commercial or industrial under State law.

Obviously, the bill should not be written in an open-end fashion so that a State could declare, without participation by the Secretary of Commerce, that every inch of land adjacent to the interstate and primary systems would automatically be classified as "unzoned commercial or industrial" for purposes of this act.

The Secretary of Commerce has made it crystal clear that it would be his purpose and his intent to look at what the States have actually zoned industrial or commercial and to treat on a par those areas which have commercial or industrial activities carried on in them but which are not technically zoned commercial or industrial under the State laws.

Question. Isn't this legislation bad because it prevents a State from having more strict and more effective regulations against billboards and junkyards than is provided in this bill?

Answer. The answer to this question is, "No."

This legislation explicitly states in section 131(k), that nothing in the legislation prohibits a State from establishing stricter limitations on outdoor advertising. It is expressly stated in section 136(l) that nothing in this bill is to prohibit a State from establishing stricter limitations for the control of outdoor junkyards than is established under this bill.

This legislation is not for the purpose of authorizing the States to control billboards or junkyards. The States already have the basic authority under their own laws to control billboards and junkyards, but because this is a national problem, it has been extremely difficult or impossible for the States to face up to the problem without some interest, concern, and leadership from the Federal level.

The Federal Government does have an interest, a definite interest, in the Federal-aid highways. By this legislation, the Federal Government will now be exhibiting a proper concern and a proper interest in the problems which have been brought about on the billboard and junkyard problems which have developed on these Federal-aid highways.

Question. Is this bill inadequate because it contains no prohibition against future junkyards?

Answer. The answer is, "No." This bill provides that the States will obtain effective control with respect to junkyards. Effective control is defined in the bill as meaning that, except in industrial areas, a junkyard which is located within 1,000 feet of the right-of-way must be screened, or if this is not practical, the junkyard must be removed.

As to junkyards in existence on the date of enactment of this legislation, they do not have to be removed until 1970. And, in any event, they do not have to be removed if it is practical to screen them.

Of course, the States will, as a follow-up to this legislation, make appropriate revisions to guard against the future establishment of junkyards in the areas which would be under control.

It is foolish to assume that the States will not make this provision as to future establishment of junkyards, because if they did not do so it would very clearly be subject to a reduction of 10 percent in its highway fund apportionment, as is expressly provided in the bill.

Of course, there is no provision in this bill that the Federal Government will pay compensation for the removal or screening of any or all junkyards that might be located somewhere along an interstate or primary highway at some time in the future. This, too, would be a foolish provision.

We can rest assured that the States will be able to take appropriate steps to adopt the laws and the regulations necessary to guard against the future location of junkyards, so that the States will not continually be in violation of the basic requirements of this bill.

Question. Does this legislation provide that a State can be penalized a total of 20 percent if it fails to have effective control for both billboards and junkyards?

Answer. The answer to this question is, "No."

It is not intended to have a maximum penalty of 20 percent. The only place in the legislative history where this is suggested is in the minority views of the House committee report.

The Secretary of Commerce has confirmed that it is his interpretation and intention that the maximum penalty which would be applied against a State would be 10 percent for any one apportionment, whether the State in question had failed to achieve control on billboards or junkyards or both.

This part can be clarified in the further legislative history on this bill.

Question. Is it correct that this legislation will cause a waste of money by spending huge amounts on landscaping or scenic enhancement?

Answer. The answer to this question is clearly, "No."

This legislation provides that within the right-of-way the cost of landscaping and putting the right-of-way in decent and attractive condition is a part of the cost of construction. This is not a new law or a radical innovation. This is simply a restatement of what has been long established law.

With respect to scenic strips adjacent to the right-of-way, this legislation provides that the States will be allotted an amount equivalent to 3 percent of their highway apportionment, to be used in preserving or enhancing the scenic values of land adjacent to the rights-of-way.

This amount is not required to be matched by the States.

It does us little good to spend literally billions of dollars constructing magnificent paved highways and even landscaping the narrow strip of right-of-way, if some attention is not given to the land area adjacent to the rights-of-way. Where there are special scenic attractions, such as a wooded tract or a stream or a particularly striking view, appropriate action should be taken to preserve the natural beauty and attraction of those areas. Furthermore, more attention and more emphasis is needed in providing rest or recreational areas along our highways, and the limited extent to which this can be done within a narrow right-of-way is often insufficient.

This represents an investment for the future. This represents an economic investment for every State during the present and immediate future. By providing funds to clean up areas adjacent to the highways and to put them in decent condition, we are providing some opportunities for employment. We are providing the means whereby countless local areas throughout the Nation will present themselves in a far better light and will improve their economic situation, their economic standing by being able to attract more tourists and more travelers to their areas.

Question. Is this legislation premature because the committee did not have sufficient information on which to base sound conclusions?

Answer. The answer to this question is clearly, "No."

The problem of billboard and junkyard control was called to the attention of the Congress in the President's message on natural beauty many months ago in February 1965.

The specific proposals for billboard and junkyard control were transmitted to the Congress for consideration last May.

Since then, the Subcommittee of the House Public Works Committee has held extensive hearings and has heard many witnesses representing all points of view.

The record of hearings before the Subcommittee on Roads consists of 500 printed pages.

When the full committee acted on the subcommittee's recommendation, the full committee had not only the benefit of the House hearings but had the benefit of hearings which had been completed before the Senate committee and had the benefit of the discussion and action by the Senate on similar legislation.

The basic principles embodied in this legislation are not any different from the basic principles which were considered in similar legislation in 1958.

Of course, it can be argued that nobody can tell at this time the exact impact this legislation will have in each and every State. This is no more than a trite truism with respect to any proposed legislation.

Of course, no one can say in advance exactly how many billboards may turn out to be in controlled areas and therefore have to be removed in 1970, just as no one can say in advance how many billboards will actually be maintained in commercial or industrial areas.

It would be foolish to try to take an inventory of every single billboard in the country located on the interstate and primary systems and try to make a guess as to whether those billboards would be located in a commercial or industrial area, next year, in 1970, or in 1980.

The full impact of this legislation is clear. It is clear that the legislation is designed to prevent an unbridled proliferation of billboards and junkyards along our interstate and primary systems.

It is clear that this legislation is designed to screen junkyards which are within 1,000 feet of the right-of-way unless they are located in industrial areas.

It is clear that this legislation is designed to provide a reasonable degree of control of outdoor advertising in commercial or industrial areas.

It is clear that the details of regulations and sign criteria cannot now be spelled out because this is a subject which requires extensive consultation with the States and the affected industries and businesses, and in fact the legislation requires that public hearings be held in each of the 50 States.

This legislation is not premature; it does not need further extended study or procrastination or delay.

To delay action on this kind of legislation is simply to make the problem increasingly difficult, analagous to the delay in doing something about a polluted river or stream. We know that surely at some point a halt must be called and action must be taken. To wait until the situation grows from bad to worse is simply to make final action more expensive for both the Federal and State Governments and for the private business interests involved.

Question. Why not let the States do the job? Is this unnecessary centralization of power in the Federal Government?

Answer. For 7 years, since 1958, we have had the voluntary billboard bonus law. Under that law, the States which would agree to control billboard advertising on the Interstate System would be entitled to one-half of 1 percent bonus on the amounts the States receive for the Interstate System.

It has been clearly demonstrated that this law has been completely ineffective in obtaining a reasonable degree of control of billboards on the Interstate System, and therefore it is obvious that this method should not be continued and there is absolutely no point in trying to apply it to the primary system.

During these 7 years, only 25 States have finally entered into agreements to control billboard advertising along the Interstate System.

Since 1958, only approximately $500,000 in bonus payments have been made for control of less than 200 miles of interstate highway. This is less than 1 percent of the interstate mileage already completed.

The highways of this Nation are public highways. They are public facilities. On a plain dollar and cents basis, the Federal Government has a very proper and legitimate interest in the Federal-aid interstate and primary systems.

With this great and substantial direct interest of the Federal Government, how can we expect 50 different State legislatures really to be concerned about this problem if the U.S. Congress is not concerned enough to enact adequate legislation.

This is not simply a job for the States. This is a job for both the Federal Government and the States following the partnership concept which has characterized our Federal-aid highway program from the beginning.

This is not a diabolical centralization of Federal authority, any more than such is the case with highway design standards, or the case with the Federal rules and regulations pertaining to rights-of-way, or the case with the Federal rules and regulations pertaining to the width of highways, or the required thickness of the concrete pavement.

IMMIGRATION ACT OF 1965

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. JACOBS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. JACOBS. Mr. Speaker, I enjoyed a thrilling privilege last Sunday.

I stood near the President of the United States as he signed into law the Immigration Act recently passed by Congress.

Along with other Members of Congress and interested citizens, I watched this historic ceremony which fulfilled, beneath the shadow of the Statue of Liberty, an important part of the American dream.

The President's signature marked one of the finest accomplishments of the administration during this year.

It signaled the reform of our immigration laws by abolishing the discriminatory national origins systems in favor of a system of selection designed to reunite families and admit persons with special skills which will be of positive benefit to our country.

Under the national origins system, the admission of a person to this country as a quota immigrant depended far more on the accident of where he was born than on his ability to contribute to our society, or on his relationship to a family in this country.

As a result, persons with no special talents to offer, and no family connections here, were often favored for admission in preference to those with high attainments or close family ties.

For instance, an American citizen could import a housemaid from northern Europe more easily than he could bring his own mother here, if she had been born in southern or eastern Europe.

The same situation confronted an American hospital with an urgent need for a medical specialist who was born in a low-quota country.

Besides being discriminatory, morally wrong, and hurtful to our own people, the national origins system was harmful in our foreign relations and out of harmony with the best in American traditions.

Presidents Truman, Eisenhower, Kennedy, and Johnson had all urged that it be changed. This year, after thorough study and long hearings, Congress finally did so.

In place of the national origins system, the new law establishes a system of selection which will be fairer, more rational, more humane, and more in the national interest.

Under the new law, selection of qualified applicants will be based on six preference categories which reflect family ties and personal skills.

For immigrants within the same preference category, the rule will be first come, first served.

This system of selection will apply to all immigration that was formerly subject to national quotas. Such immigration will be fixed at 170,000 a year, with a further limit of 20,000 for any one country.

Immigration from Western Hemisphere countries will be subject to a separate limitation of 120,000 a year beginning in 1968.

The new law makes no basic changes in the safeguards of our immigration laws against subversive, criminal, illiterate, or other undesirable immigrants.

However, in line with the objective of reuniting families, certain close relatives who were absolutely excluded because of mental retardation or a past history of mental illness can be allowed to join their families if such afflicted persons are not dangerous and if proper guarantees are given for their future care.

The new law will not open the gates to unlimited or excessive immigration. It will not change the "public charge" test which excludes immigrants who are candidates for the welfare rolls.

And the safeguards against immigrants who might diminish the job opportunities of American workers have been considerably strengthened.

The conclusion is plain. The new immigration law is a long overdue reform that will reunite families. It will restore our reputation for judging people on personal merit and not by where they come from. And, it will generally strengthen us as a nation.

GERMAN AMERICAN DAY

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HANLEY. Mr. Speaker, after 2½ months of traversing the Atlantic Ocean, the ship *Concord* arrived near Philadelphia, Pa., on October 6, 1683. Thirteen German-Quaker families wearily debarked and looked out over the land which offered them a new life of freedom. Under the leadership of Franz Daniel Pastorius, these first German families established the primary permanent settlement of an entirely German group in the New World. Thus, October 6, 1683, marked the beginning of an exciting German history in America.

Five years after the arrival of the *Concord*, the settlers of Germantown, Pa., drew up the first protest ever voiced against Negro slavery in America. This protest was authored by Franc Pastorius, a noted German scholar and linguist, and signed by three townsmen.

As we mark the 282d anniversary of the arrival of the German sector of our society, it is appropriate to elaborate on a few of the numerous contributions made to America by these first German families and subsequent German settlers and their progeny.

German contributions began long before the *Concord* reached Philadelphia. In 1507, Martin Waldseemuller suggested in his book "Cosmographiae Introductio," that the New World be called America. Over 100 years later, America was a word spoken in many countries by persons desirous of an opportunity to begin their lives in the atmosphere of freedom. These persons had a spirit of adventure—the adventure of liberty.

These contributions began when the first Germans debarked upon our shores and have continued to the present day. They have been made in every area of human endeavor.

Jacob Leisler, an early Governor of New York, called together the first Congress on American soil. He was convinced that New York and the colonies were threatened with an invasion by the French and Indians. Thus on May 1, 1690, he called the Congress consisting of the Governors of Massachusetts, Plymouth, East and West Jersey, Pennsylvania, Maryland, and Virginia. This

gathering was the progenitor of the Continental Congress and later the Congress as it is known today.

While the colonists in the West were fighting Indians and the colonists in Pennsylvania were teaching the Indians the highest ideals of Christianity, Dr. Hans Kierstedt opened his practice of medicine in New York.

During the American Revolution, George Washington depended solely on a German-American regiment of bodyguards lead by Maj. Bartholomaeus von Heer. Behind the valiant German soldiers fighting for our freedom were their wives and sweethearts. Among the more famous were Molly Pitcher and Emily Guyer. These women carried valuable American dispatches through British lines. This type of valor contributed greatly toward our independence.

It was the Germans who helped preserve President Abraham Lincoln's ideas of unity. One of the more prominent figures was a Wisconsin lawyer, Carl Schurz, who attacked the Fugitive Slave Law. Mr. Schurz later was named the Secretary of the Interior—1877–1881. He was one of the first of the many to try to enact laws to protect our forests and woodlands. Among his other accomplishments was his application of Civil Service reforms in his department. Among his principles were: no removals except for cause; if force should be reduced, least competent would go first; no promotions were to made except for merit; if there were no vacancies, no recommendations for office would be entertained. He also established a board of inquiry.

Another lawyer, William Wirt, became the prosecuting attorney at the trial of Aaron Burr. Mr. Wirt's speech has important rank in American oratorical literature.

The political profile of the New York State Senator Otto G. Foelker occupies an important chapter of political history. Senator Foelker was a member of the New York State Senate at the time when the controversial question of racetrack gambling was being discussed. The legislature was equally divided on this issue. However, when it was finally brought to a vote, Senator Foelker, critically ill, demanded that he be carried to the senate floor to vote against racetrack gambling. He cast his vote and the bill prohibiting gambling was passed by a vote of 26–25.

Germans were the first nationality group to vote independently of party. Peter Zenger founded the first independent political newspaper in New York. Germans were active in the fields of personal liberty and temperance. They have also played an important role in our educational system. Two significant contributions are kindergarten and the introduction of the idea that subjects should be taught in such a way as to relate to other subjects the student is learning.

Names of German origin have been sprinkled throughout our history. In the field of science, names include Albert Einstein, Albert A. Michelson, David Rittenhouse, H. E. Muhlenberg, Werner Van Braun, and John A. Roebling. Familiar names in the arts include George Benjamin Luks, paintings include "Woman With a Black Cat," "Boy With the Guitar," "The Old Bus Driver"; Emanuel Leutz, paintings include "Washington Crossing the Delaware," and "Westward the Course of Empire Takes Its Way," which panels the staircase of our Nation's Capitol; Carl Marr, "The Adoration of Christ Child." Gottlieb Graupner is known as the "Father of the American Orchestra." He also founded a choral society, the Handel and Haydn Society. William Schultze was an early director of the music department at Syracuse University. Previously he had been a member of the famous "Germania" orchestra.

Joseph Pulitzer, Walter Lippmann, H. L. Mencken, Pearl Buck are familiar names in the journalistic world. The rolls of the business enterprises in the United States contain many German-Americans including Julius Rosenwald, one of the founders of Sears, Roebuck; George Anschutz and Charles M. Schwab, in the iron mines; John Jacob Astor, and the Vanderbilt and Rockefeller families. In the literary field outstanding men like Owen Wister and Joseph Hergesheimer are but a few.

The list will not stop here but shall continue to grow with our growing Nation. Today as we celebrate the arrival of the *Concord* let us commemorate those of German ancestry for their historic role in America's development.

HUNGARIAN NATIONAL DAY OF MOURNING

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HANLEY. Mr. Speaker, today we solemnly observe the 116th anniversary of the Hungarian day of national mourning. On October 6, 1849, Austrian General Haynau, the notorious sanguine butcher, ordered that nine Hungarian generals be hanged and four shot. These orders were brutally executed. Even now, the recollection of these deaths is a painful knife in the heart of freedom and liberty. The free world sorrowfully recalls and deeply mourns the defeat of the Hungarian war for independence and the cruel repercussions which followed.

This war in 1848, one of Hungary's many fights against tyranny, was lead by Louis Kossuth. Kossuth, "Father of the Hungarian Revolution," was inspired by the American Revolution and the leadership and principles of George Washington. Europe was in a state of political fermentation and there were popular demands resultant from these revolutions that independence should be declared. The Hapsburg empire was shattered by uprisings in Hungary, Croatia, Italy. Hungary was the last stronghold of resistance. In April of 1848, Kossuth was elected responsible Governor-President by the Hungary Diet. However, in June of 1849, Emperor Francis Joseph accepted the offer of Czar Nicholas of Russia to aid in the suppression of the revolt. Russians attacked Hungary from the north and an Austrian army invaded from the west. Thus the Hungarians were defeated at the Battle of Remesvar. This Russian intervention prevented Hungarians from achieving independence for another three generations.

Kossuth's principles became realities years later. It will always be remembered that it was Kossuth who, following the examples of George Washington, believed in the emancipation of serfs, freedom of the press, abolishment of corporal punishment, economic, social and political reforms for his people, political home rule. It was Kossuth, the profound philosopher, eminent historian, humanitarian, orator, strict moralist, who crusaded for orphanages, hospitals, mass education, fiscal reforms, and economic growth.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. PEPPER (at the request of Mr. GIBBONS), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ROONEY of New York, for 20 minutes, today; and to revise and extend his remarks.

Mr. FEIGHAN, for 15 minutes, October 7, 1965; and to revise and extend his remarks and include extraneous matter.

Mr. PIRNIE (at the request of Mr. HALL), for 1 hour, on October 11; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. OLSEN of Montana.

Mr. ROYBAL.

(The following Members (at the request of Mr. BINGHAM) and to include extraneous matter:)

Mr. HANNA.

Mr. WAGGONNER.

Mr. ANNUNZIO.

Mr. HUNGATE.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 306. An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from certain motor vehicles, to authorize a research and devel-

opment program with respect to solid-waste disposal, and for other purposes;

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

S. 611. An act for the relief of certain employees of the Mount Edgecumbe Boarding School, Alaska;

S. 779. An act for the relief of Henryka Lyska;

S. 903. An act to amend the Communications Act of 1934, as amended, with respect to painting, illumination, and dismantlement of radio towers;

S. 1012. An act for the relief of Dr. Otto F. Kernberg;

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

S. 1576. An act to amend the act of May 17, 1954 (68 Stat. 98), as amended, providing for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., and for other purposes;

S. 1689. An act to amend paragraph (a) of the act of March 4, 1913, as amended by the act of January 31, 1931 (16 U.S.C. 502);

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

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

S. 1873. An act for the relief of Mrs. Clara W. Dollar;

S. 2273. An act to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes; and

S.J. Res. 69. Joint resolution to authorize the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia to be named the James Madison Memorial Building and to contain a Madison Memorial Hall, and for other purposes.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 724. An act to authorize the transfer of certain Canal Zone prisoners to the custody of the Attorney General;

H.R. 3045. An act to authorize certain members of the Armed Forces to accept and wear decorations of certain foreign nations;

H.R. 5665. An act to authorize disbursing officers of the Armed Forces to advance funds to members of an armed force of a friendly foreign nation, and for other purposes;

H.R. 6165. An act to repeal section 165 of the Revised Statutes relating to the appointment of women to clerkships in the executive departments;

H.R. 7329. An act to provide for the conveyance of certain real property of the United States to the city of San Diego, Calif.;

H.R. 9336. An act to amend title V of the International Claims Settlement Act of 1949, relating to certain claims against the Government of Cuba;

H.R. 9975. An act to authorize the shipment, at Government expense, to, from, and within the United States and between oversea areas of privately owned vehicles of deceased or missing personnel, and for other purposes;

H.R. 10234. An act to amend section 1085 of title 10, United States Code, to eliminate the reimbursement procedure required among the medical facilities of the Armed Forces under the jurisdiction of the military departments; and

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.

ADJOURNMENT

Mr. BINGHAM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 6 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, October 7, 1965, at 11 o'clock a.m.

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. JONES of Missouri: Committee on House Administration. Senate Concurrent Resolution 46. Concurrent resolution to authorize placing temporarily in the rotunda of the Capitol the statue of the late Senator Dennis Chavez; without amendment (Rept. No. 1119). Referred to the House Calendar.

Mr. JONES of Missouri: Committee on House Administration. Senate Concurrent Resolution 47. Concurrent resolution to authorize the acceptance by Congress of the statue of the late Senator Dennis Chavez; without amendment (Rept. No. 1120). Referred to the House Calendar.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 48. 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; without amendment (Rept. No. 1121). Referred to the House Calendar.

Mr. JONES of Missouri: Committee on House Administration. H.R. 11267. A bill to amend the joint resolution of March 25, 1953, relating to electrical and mechanical office equipment for the use of Members, officers, and committees of the House of Representatives, to remove certain limitations; without amendment (Rept. No. 1122). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee of Conference. H.R. 9811. An act 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 (Rept. No. 1123). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS (by request):

H.R. 11450. A bill to amend certain provisions of the Internal Revenue Code of 1954, and certain provisions of title 28, United States Code, relating to taxation; to the Committee on Ways and Means.

By Mr. BETTS:

H.R. 11451. A bill to amend the Internal Revenue Code of 1954 to permit the amortization of reorganization expenditures of railroad corporations and for other purposes; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 11452. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. ELLSWORTH:

H.R. 11453. A bill to provide that the fee increases prescribed by Public Law 89-83 shall not be effective in any case wherein the application was filed prior to the effective date of that act; to the Committee on the Judiciary.

By Mr. FLOOD:

H.R. 11454. A bill to provide for the orderly marketing of articles imported into the United States, to establish a flexible basis for the adjustment by the U.S. economy to expanded trade, and to afford foreign supplying nations a fair share of the growth or change in the U.S. market; to the Committee on Ways and Means.

By Mr. GUBSER:

H.R. 11455. A bill to create a commission on the establishment of a Council of Free Nations; to the Committee on Foreign Affairs.

By Mr. GURNEY:

H.R. 11456. A bill to amend title 38, United States Code, so as to permit the waiver of certain retirement or annuity payments under programs administered by the Federal Government; and to waive certain overpayments of veterans' pensions resulting from enactment of the Social Security Amendments of 1965; to the Committee on Veterans' Affairs.

By Mr. McVICKER:

H.R. 11457. A bill to amend section 503 of title 38 of the United States Code so as to provide that certain social security benefits may be waived and not counted as income under that section; to the Committee on Veterans' Affairs.

By Mr. MATHIAS:

H.R. 11458. A bill to provide that the fee increases prescribed by Public Law 89-83 shall not be effective in any case wherein the application was filed prior to the effective date of that act; to the Committee on the Judiciary.

By Mr. RONCALIO:

H.R. 11459. A bill to place in trust status certain lands on the Wind River Indian Reservation in Wyoming; to the Committee on Interior and Insular Affairs.

By Mr. SCHWEIKER:

H.R. 11460. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 11461. 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. KREBS:

H.J. Res. 679. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.J. Res. 680. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

371. The SPEAKER presented a memorial of the Legislature of the Commonwealth of Kentucky, relative to calling a constitutional convention to deal with the problem of apportionment in State legislatures, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 11462. A bill for the relief of Fiorenza Di Mauro Pellegrino; to the Committee on the Judiciary.

By Mr. ANDREWS of North Dakota:

H.R. 11463. A bill for the relief of Robert N. Russell; to the Committee on the Judiciary.

H.R. 11464. A bill for the relief of Sidney W. Douglas; to the Committee on the Judiciary.

By Mr. BERRY (by request):

H.R. 11465. A bill relating to certain Indian claims; to the Committee on the Judiciary.

By Mrs. BOLTON:

H.R. 11466. A bill for the relief of Dr. Ruben D. Bunag; to the Committee on the Judiciary.

By Mr. DOW:

H.R. 11467. A bill for the relief of CWO Joseph J. McGavin; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 11468. A bill for the relief of Ettore Favazzi; to the Committee on the Judiciary.

By Mr. GURNEY:

H.R. 11469. A bill for the relief of Dr. Manuel Jose Coto; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 11470. A bill for the relief of Lucilia DaSilva Afonso; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 11471. A bill for the relief of Mr. and Mrs. Joseph E. Begnoche; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

"What Now for Free China?"—An Excellent Book by Dr. Diosdado M. Yap—Tells of Unparalleled Prosperity in Nationalist China—Close Ally of the United States

EXTENSION OF REMARKS

OF

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 6, 1965

Mr. RANDOLPH. Mr. President, I have recently had the pleasure of reading "What Now for Free China?" by Dr. Diosdado M. Yap, a veteran Washington correspondent and my personal friend. This is a most comprehensive work depicting the Republic of China's substantial growth and industrial modernization.

Dr. Yap stated:

After a decade of struggle and effort, the Republic of China has brought literacy to 90 percent of the people of Taiwan Province; achieved a favorable balance of foreign trade; manages to make its people the best fed in all Asia; sustains next to the highest prosperity of countries in this part of the world; steadily increased agricultural, industrial, coal, natural gas, and textile production with a mounting value and volume of export of goods and services worldwide.

Nationalist China's military force is closely integrated with the Pacific Fleet of the U.S. Navy. President Chiang Kai-shek commands 600,000 troops trained and equipped with the most modern arms and techniques in a cooperative Sino-American program.

Yap said:

Faith of the Republic of China in the U.N. was evidenced in its payment to the U.N. of $4,990,550 early this year at a time when such countries as Soviet Russia and France were refusing to meet their financial obligations.

A U.S. firm, Allied Chemical Corp., will top the list of foreign investments in Taiwan with $28 million. This will place the 1965 foreign investment far ahead of last year's record total of $30 million.

Dr. Yap also discusses the allied roles of American Presidents with the Republic of China since 1945. Presidents Truman, Eisenhower, Kennedy, and Johnson all have been closely associated with the Republic of China, as evidenced by our continued support.

This book represents the proven progress of Nationalist China.

It is fitting, I believe, that this splendid accomplishment be recorded here in the CONGRESSIONAL RECORD.

Barksdale AFB Aids Hurricane Victims

EXTENSION OF REMARKS

OF

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 6, 1965

Mr. WAGGONNER. Mr. Speaker, during the recent Hurricane Betsy devastation, the personnel of Barksdale Air Force Base, La., once again demonstrated the exemplary role they play as an integral part of the Louisiana community.

Before the hurricane had left the State, military families at Barksdale began donating clothing and food to victims of the disaster as part of Operation New Orleans which was set in motion by Lt. Gen. David Wade, commander of the 2d Air Force.

Similar donations from four other 2d Air Force bases in Arkansas, Texas, and Louisiana were flown to Barksdale and from there to New Orleans where they were turned over to Red Cross and Salvation Army units for distribution.

During the course of "Operation New Orleans," Barksdale personnel donated and collected 43,460 pounds of food and clothing. Four other 2d Air Force bases contributed together 54,100 pounds. The total of 97,560 pounds of vitally needed clothing and food was flown to New Orleans and vicinity in 12 separate flights of 76 hours air time and covering 12,905 miles.

The northwest section of Louisiana where Barksdale Air Force Base is located was spared the devastation suffered elsewhere in the State, but as you can see by this digest of what General Wade's program accomplished, the hearts and hands of Barksdale personnel went out unhesitatingly and lavishly to the unfortunate victims in the southern part of the State.

To the General and all the men and women who gave so unselfishly in this hour of trial go the thanks of all Louisianians.

The Lewis and Clark Expedition of 1804–06

EXTENSION OF REMARKS

OF

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 6, 1965

Mr. HUNGATE. Mr. Speaker, the Lewis and Clark Expedition of 1804–06, beginning in St. Charles, Mo., was one of history's greatest overland expeditions. It opened the way for settlement of the Northern Plains, the Rocky Mountains, and the Pacific Northwest, and it has had a profound and lasting effect on the political, economic, and geographic development of the United States.

The St. Charles County Historical Society arranged to meet with the Lewis and Clark Trail Commission in St. Louis, Mo., on September 30 and October 1, 1965. As part of research carried on by citizens of St. Charles County, an exhibition marker has been erected on historic Main Street in St. Charles, the first capital of the State of Missouri.

Located in St. Charles are several points of interest for present-day travelers to visit. At the corner of Walnut and Main, Lewis participated in the Louisiana Purchase ceremony, whereby the United States took over 1,172,000 square miles of territory. After the expedition, Clark lived where the chamber of commerce building now stands and he is buried in the huge Bellefontaine Cemetery.

The present-day traveler can easily locate and visit the town of St. Charles—the only large town on the Missouri River in existence when the exporers went west. Many of the buildings were constructed about the time of the Louisiana Purchase; thus, these sites and others like them will be sought after by numerous Americans retracing the steps of Lewis and Clark.

I think it commendable that some of our citizens have made the effort necessary to preserve our great heritage and

the history of the events in areas that have been so important to the growth of our Nation.

Mine Safety Legislation

EXTENSION OF REMARKS

OF

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 6, 1965

Mr. OLSEN of Montana. Mr. Speaker, in 1961 the Congress adopted the Metal and Non-Metallic Mines Safety Study Act, directing the Secretary of the Interior to make a 2-year study of a Federal mine safety law that would give protection to the 230,000 men working in metal and nonmetallic mines, quarries, and sand and gravel pits. The Secretary was directed to investigate the causes of accidents, the hazards in the industry, the adequacy of State mine safety laws and their enforcement, and to make recommendations to the Congress for an effective safety program. Secretary Udall submitted his report to Congress in November of 1963.

The Secretary's report stated that in 1962 there were 10,189 injuries in the Nation's open pit and underground metallic and nonmetallic mines and quarries, 212 men were killed, 329 were permanently crippled. In 1963 there were 12,215 unnecessary injuries and 179 deaths in these pits and mines. These figures do not include coal and lignite mines. These accidents and fatalities will continue unless effective preventive Federal legislation is passed. The House has passed H.R. 8989. This bill does not contain all the safeguards for the protection of life of the miners; however, it is a start.

We must provide legislation for a more uniform Federal system of health and safety rules and regulations, for Federal inspection and investigation, and safety training and education in the thousands of mines and quarries in our States.

On the 18th of January 1965, I introduced H.R. 3008, which I feel would have provided for a good system of health and safety rules and regulations and proper enforcement for safety and health inspection of our metallic and nonmetallic mines and quarries.

Mr. Speaker, I would like to give this summary of the amendments to H.R. 8989 that were accepted on the floor of the House on September 2, 1965, after a careful study and analysis of this legislation as it passed the House.

SUMMARY OF THE AMENDMENTS TO H.R. 8989

(Accepted on the floor of the House of Representatives, Sept. 2, 1965.)

First. Section 3 of the bill was amended to stipulate that "mines," as defined in the bill, whose operations "substantially" affect commerce will be subject to the act. Before amendment, the bill extended coverage to all mines whose operations "affect commerce."

The practical effect of this amendment is difficult to assess. It may cause the exclusion from coverage of some small mines, quarries, sand and gravel pits, and mills, whose operations will be considered to "affect commerce," but not substantially.

Second. Section 13(a) was amended to stipulate that a State, "at any time," may submit to the Secretary of the Interior its plan for development and enforcement of mine safety standards.

Insertion of the phrase "at any time" makes it clear that a State does not forgo all later opportunity to establish its own mine safety plan in lieu of Federal enforcement, by failing to submit such a plan at an early date after this act becomes effective.

Third. Section 13(b) was amended to omit the phrase "in judgment of the Secretary," from the sentence which reads: "The Secretary shall approve the plan submitted by a State * * * if, in the judgment of the Secretary, such plan * * *".

It was necessary to eliminate this phrase in view of the next amendment described below.

Fourth. Section 13 was further amended by the incorporation of a new subsection, 13(d). This was the major amendment, of those accepted on the floor. This amendment takes away from the Secretary of the Interior the final authority to refuse approval to, or withdraw approval from, a State plan. It provides the State a right of appeal to the Federal courts from an adverse decision of the Secretary with respect to the adequacy of the State plan or the adequacy of the manner in which it is being carried out by the State.

Specifically, the State may file an appeal with the appropriate U.S. circuit court of appeals no later than 60 days after notice of the Secretary's final decision. However, the court must accept the Secretary's finding of fact as conclusive, if these findings are supported by "substantial evidence." Nevertheless, if "good cause" is shown, the court may remand the case to the Secretary, with the instructions that he take further evidence. Such remanding of the case may—or may not—lead the Secretary to make new or modified findings of fact. These findings by the Secretary must also be accepted by the court as conclusive, if supported by substantial evidence.

The circuit court, after hearing the appeal, is given the authority to affirm the decision of the Secretary, or to set it aside, in whole or in part. The practical effect of a decision by the circuit court to set aside, entirely, the Secretary's action in refusing approval of a State plan submitted to him would be to put that State plan into operation, and thereby exempt mines in that State from direct Federal mine safety enforcement authority.

Both parties—that is, the Secretary and the State—may file an appeal with the U.S. Supreme Court against the decision of the circuit court. If the Supreme Court, however, does not decide to review the case, the judgment of the circuit court will be final.

Fifth. Section 14 is amended to specify that the Secretary of the Interior has authority to appoint those who are to administer the act. However, such appointments must be made: First, "subject to the civil service laws," second, by the Secretary "acting through" that agency of the Department of the Interior" which has the major responsibility for carrying out the Federal Coal Mine Safety Act"—namely, the Bureau of Mines.

The effect of this amendment is to make clear that mine inspectors and other Federal employees selected to administer this act must be appointed under civil service and through the Bureau of Mines.

Sixth. Section 14 is also amended to require that those appointed as mine inspectors, of mines covered under this act, shall—"to the maximum extent feasible"—have had at least 5 years of "practical mining experience."

Seventh. Section 14 is further amended to direct the Secretary, in his assignment of a mine inspector to specific mines, to give "due consideration" to the inspector's "previous practical experience" in the State, district, or region whose mines he is assigned to inspect.

The obvious intention of this amendment is to assure, where reasonably feasible, that a mine will not be inspected by a Federal inspector who has had little or no previous familiarity with the mining operations of the particular area in which the mine is located.

Eighth. Section 17 is amended to change the effective dates of certain parts of the act.

The amendment postpones, until 1 year after the date of publication in the Federal Register of mandatory mine health and safety standards, the power of the Secretary to issue a notice to a mine operator requiring the abatement of a violation of such a standard or to issue an order of withdrawal and debarment of persons from a mine where the Secretary finds an imminent danger of death or serious physical harm exists. In addition, these powers of the Secretary cannot be exercised in any State within less than 90 days after the adjournment of the next regular session of the State legislature which convenes after the date of publication of the mandatory standards in the Federal Register.

Before this amendment, H.R. 8989 had simply provided that these powers of the Secretary were to become effective 1 year after the date of enactment of the act. This provision impliedly instructed the Secretary that it was his responsibility to assure that the mandatory standards were designated within 1 year after the date of enactment.

The extent to which this amendment will postpone the effective date of the Secretary's powers to issue abatement notices and orders of withdrawal and debatement will depend upon the time lag between the enactment of the act and the designation of mandatory standards, as well as upon the timing of legislative sessions in the individual States—particularly in those States whose legislatures meet only biennially. To illustrate what would be presumably an extreme possibility for postponement of Federal enforcement power: Assume an 18-month lag between the date of enactment of the act and the date of publication in the Federal Register of the mandatory health and safety standards which the Secretary must develop in consultation with advisory committees. Assume that the next regular session of the legislature of State *x*, a State whose legislature meets biennially, does not convene until 18 months after the Federal Register publication date, and that the legislative session lasts 4 months. In this hypothetical case, a total of 43 months, or 3 years and 7 months, would elapse between the date of enactment of the act and the date at which Federal mine inspectors would acquire the authority, in State *x*, to issue notices of abatement or orders to withdraw and debar persons from mines where an immediate or imminent danger of death or serious physical harm is found to exist.

The purpose of delaying the effective date until 90 days after the close of the next State legislative session is to give the State legislature the opportunity—if it decides to avail itself of the opportunity—to look at the mandatory standards designated by the Secretary, take action to pass any new legislation that may be required for establishment of a State inspection and enforcement plan to be presented for the Secretary's approval, and to appropriate the money that will be necessary in order to have the State plan carried out to the Secretary's satisfaction.

Since an approved plan, among other things, has to "provide for the development and enforcement of health and safety standards * * * which are or will be substantially as effective * * * as the mandatory standards" designated by the Secretary, it is not unreasonable to require that a substantial amount of time be given a State, after it has learned what these mandatory standards are to be, in which to decide whether it wishes to develop and finance a State plan embodying substantially as effective standards.

Mr. Speaker, I was born and raised in the mining community of Butte, Mont. I worked in and about the mines like my father before me. I have strong convictions about what must be done to guard the health and safety of the miners. I am proud to have played my bit in support of this legislation, and I want to salute the excellent record of the United Mine Workers, the International Union of Mine, Mill & Smelter Workers, the United Steelworkers of America, AFL-CIO, and the many individuals who through these many years have faithfully appeared before congressional committees to present firsthand information in support of this legislation.

Slovenian Day Festival

EXTENSION OF REMARKS

OF

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 6, 1965

Mr. ANNUNZIO. Mr. Speaker, on October 10, the Slovenes will hold a festival celebrating the 415th anniversary of the first printed Slovenian book and the 47th anniversary of Slovenian independence from the Hapsburg empire. I have long felt that not enough is known about the history and the accomplishments of this outstanding group of people. It is fitting, therefore, on this occasion and during this celebration to recall the highlights of their history and some of their fine contributions to the cultural and intellectual advancement of civilization.

The Slovenes constitute one of the Slavic peoples whose present homeland is now in southern Europe. They have managed to survive aggression and division to emerge as an enlightened, well-educated, gifted and virtuous people, and today represent one of the most advanced peoples of Yugoslavia.

The history of these courageous people dates back to the early Middle Ages. Much of this part of their history is lost in antiquity due to our sparce knowledge of that era, yet we do know that in the 6th century they settled in the northern part of Yugoslavia and were the first of the Slavic peoples to penetrate that part of Europe.

In their new homeland, they were invaded by foreign elements which sought to absorb the Slovenes into their own cultures, but the Slovenes were able to sustain themselves as an independent group. However, in the eighth century they were overcome by the huge forces of the Holy Roman Emperor Charlemagne, and soon their country became part of Charlemagne's sprawling empire. During the ninth century they were christianized by German and Italian missionaries and embraced the Roman Catholic faith. The strongest support for national survival of the Slovenes came from their priests who were instrumental in preserving the language because they were the sole educators of the people. Still later, in the 12th century, Slovenia became part of the Hapsburg Empire. For the next 10 centuries, the Slovenes were under the domination of German peoples until the birth of the Slovene, Croat, and Serb Kingdom of Yugoslavia in 1918.

Although subjected to alien rule in their homeland, the Slovenes were able to print the first book in their own language in the year 1550. The importance of this event is properly appreciated when one bears in mind that this first printed book in the Slovene language was also the first printed book in any Slavic language.

During these centuries of subjugation to alien overlords the Slovenes were registering startling advances on the spiritual, intellectual, commercial, and industrial fronts, but they could not make headway on the political front. All of their attempts to free themselves from Charlemagne's armies, from the clutches of Hapsburg rulers, and from their other oppressors were to no avail; all their revolts and uprisings ended in veritable bloodbaths. Toward the end of the 19th century the oppressive hand that held them in bondage had shown no signs of relaxing. The First World War and its sequel, however, ushered in a new era for these fearless Slovenes.

During World War I the Slovenes did all in their power to help the cause of democracy, and their hopes for national salvation were realized to some measure at the end of the war by the destruction of the dual monarchy of Austria-Hungary and the creation of a kingdom of Slovenes, Serbs, and Croats.

However, even during the first few months of its existence late in 1918, this newly constituted government showed signs of internal struggle, and the Serbs succeeded, much against Slovene protests, in adopting a strongly centralistic constitution. This meant absolute Serbian domination, in utter disregard of the rights of Slovenes and Croats. The Serbian rulers in Belgrade were quite authoritarian and dictatorial and at times the Slovene opposition to the government in Belgrade was as bitter as had been their opposition to the Austrian Government in Vienna. In 1929 the constitution was suspended and a royal dictatorship was established which remained in power until the outbreak of World War II.

World War II had truly tragic consequences for the Slovenes. Throughout the war they suffered deprivation of freedom under the Nazi rule and in the end, when the Nazis were evicted, their goal of national autonomy was once again denied to them, this time by the revolutionary forces in Yugoslavia. The newly emerging leader there, Tito, wanted to fashion the new state according to his Communist image. Thus late in 1945 the Federal People's Republic of Yugoslavia was born with Tito as its ruler. In Tito's Yugoslavia, Slovenia is one of the six People's Republics, with a territory a little less than 8,000 square miles and population about 1,500,000. On paper, at least, they have the right of self-government, and the least, as well as the most one can say, is that they seem to be reconciled, for the time being at any rate, to their present lot.

The story of Slovenes in the United States begins during the first half of the 18th century when a group of people from Yugoslavia sailed for America. A large number went to Georgia and settled on the right bank of the Savannah River. This group constituted the earliest Yugoslav settlement in the United States, so these Slovenes were the pioneers of their kinsmen in the New World. The next important settlement of Yugoslav immigrants took place in New Orleans, where they engaged in the oyster industry. In the late 1840's, during the gold rush, a Slovenian community was founded in California.

In the meantime Slovene clergymen were arriving here to carry on missionary work in the Northwest. Best known among these was Bishop Frederick Baraga, who soon after his arrival in 1830, devoted his life to missionary work among the Indians in northern Michigan, Wisconsin, and Minnesota. In recognition of his work, Michigan has named one of its counties after him.

Until 1890 the number of Slovenes arriving in the United States was relatively small, and the total probably was no more than 25,000. But after that year Slovenes came and settled in our growing metropolitan centers by the thousands each year, so that the latest estimates of these industrious and wonderful people among us places their total number at over 400,000.

Until the outbreak of the First World War, the Slovene people left their beloved homeland, which was then part of the Austro-Hungarian Empire, and came here to enjoy freedom and also have the opportunity to develop their rich and varied natural talents as artisans and artists, as laborers and tradesmen, as men of letters and of science, as politicians in public affairs and dedicated public servants in many professions, and above all as daring and dauntless fighters for the preservation of the American democratic way of life.

It is hardly possible to mention leading and prominent Americans of Slovenian descent in this brief address. In large metropolitan communities such as Chicago, Cleveland, Pittsburgh, Detroit, San Francisco, and a large number of other cities, where Slovene-Americans number in the tens of thousands, they have contributed more than their full share to civic and communal life. They are known for their robust character and for their readiness to undertake any important task, regardless of the difficulties and hazards involved. They are proud and loyal citizens of this great Republic; through loyalty and pure merit they have attained high and honored positions in public life. Among such honored individ-

uals are Senator FRANK LAUSCHE of Ohio and Congressman JOHN A. BLATNIK of Minnesota, to mention only two well-known public servants.

These brief remarks can hardly do full justice to the history and the accomplishments of these wonderfully gifted and courageous people. But I hope I have conveyed some sense of my wholehearted appreciation of what they have done to enrich our way of life, an appreciation which I particularly wanted to express on this occasion when we are honoring my good friend Ludwig A. Leskovar's 15th year as a Slovene radio broadcaster on the 415th anniversary of the first printed Slovenian book, and on the 47th anniversary of Slovenian independence from the Hapsburg Empire.

It is my pleasure to insert into the CONGRESSIONAL RECORD a resolution introduced by Alderman Vito Marzullo of the 25th ward of Chicago and passed by the City Council of the City of Chicago.

Gov. Otto Kerner, Mayor Richard J. Daley, and Alderman Vito Marzullo are to be commended for their efforts and cooperation in proclaiming Sunday, October 10, 1965, as Slovenian Day in Chicago.

The resolution follows.

OCTOBER 10, 1965, SLOVENIAN DAY

Whereas thousands of Americans of Slovenian descent, living in this country for generations, have contributed greatly to its growth and development, and have formed and been active in hundreds of civic, fraternal, religious, and patriotic organizations; and

Whereas the Slovenians of Chicago have contributed to our American culture, notably in the field of polka music, and the Slovenian radio program of this great city, under the direction of Dr. Ludwig A. Leskovar, is celebrating 15 consecutive years of radio broadcasting; and

Whereas this year the Slovenians throughout the world observe the 415th anniversary of the first Slovenian book printed; and

Whereas this year also marks the 47th year since the Slovenian nation gained independence from the Hapsburg Empire: Now, therefore, be it

Resolved, That we, the members of the city council of the city of Chicago, hereby request Hon. Richard J. Daley, mayor, to proclaim Sunday, October 10, 1965, as "Slovenian Day in Chicago," and to urge all Chicagoans to join with their neighbors of Slovenian descent in the celebration of this day.

Unilateral Military Intervention in the Western Hemisphere

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 6, 1965

Mr. ROYBAL. Mr. Speaker, on September 20, 1965, the House adopted, on a record vote of 312 to 52, House Resolution 560, expressing the sense of the House of Representatives relative to international communism in the Western Hemisphere.

This resolution declares:

Any one or more of the (American Republics) may * * * resort to armed force * * * to forestall or combat * * * domination or threat of it * * * by the subversive forces known as international communism and its agencies in the Western Hemisphere.

With these words, the House has expressed its support for the principle of unilateral military intervention into the affairs of neighboring countries in the Western Hemisphere whenever, in the opinion of the intervening country or countries, there exists the mere threat of domination by what it considers to be the subversive forces of international communism.

Mr. Speaker, in my opinion, it is most regrettable and most unfortunate that this resolution was adopted. I consider it an unnecessary, ill-timed, and wholly ineffective resolution that is doing severe damage to the cause of better relations between the nations of North and South America.

Certainly, no one can predict with any real claim to accuracy what situations may develop in the Western Hemisphere, or for that matter, anywhere else in the world, in the future, or what actions, joint or unilateral, may become necessary.

These situations and our response to them will, in large part, have to be judged pragmatically at the time and in the light of the then prevailing circumstances.

But I believe it is highly detrimental to our own national interest in promoting the concept of hemispheric solidarity and the principle of collective security to publicly announce beforehand that we are assuming the unilateral right, and that we virtually invite each and every other American nation to assume the same right, to use military force to intervene in the internal affairs of any of our fellow American Republics whenever and wherever we feel there may be a threat of Communist subversion.

The almost universally negative reaction throughout Latin America, from every spectrum of political allegiance, to the adoption of House Resolution 560, is indication enough of the harm we have already done to our vital relationships with our neighbors to the south.

The resolution has been denounced as contrary to every precept of the good neighbor policy and of the Alliance for Progress. It is characterized as a return to the days of Yankee imperialism and gunboat diplomacy—the era when the feared and hated colossus of the north was pursuing its now repudiated 19th-century policy of manifest destiny.

Though some have asserted that House Resolution 560 merely attempts to bring the Monroe Doctrine up to date, we must remember that this doctrine was intended to combat the danger of external invasion, and, more to the point, that the Latin American countries have never fully accepted or recognized the validity of the Monroe Doctrine even in this limited frame of reference.

These nations have always suspected that the Monroe Doctrine was largely a unilateral declaration of a U.S. claim to its own "sphere of influence" in the Western Hemisphere which it wanted to keep as a special preserve for itself outside the area of contention of the other European colonial powers.

Clearly, House Resolution 560 is in line with the turn-of-the-century "big stick" policy, as well as the "send in the marines" philosophy we followed during the first three decades of the present century.

But it does not square with our current effort to live up to President Franklin Roosevelt's firm and unequivocal pledge to abide by the principle of nonintervention in the internal affairs of the independent nations of the Western Hemisphere.

We are now engaged in an effort to develop workable machinery for joint consideration of economic, political and military cooperation through the Organization of American States, based on the principles of national equality, mutual respect, and collective responsibility.

It seems to me that the House resolution is a step backward from this progressive effort, and that it will arouse continuing widespread Latin American fears that the United States is returning to some of its discredited policies of the past.

One of the avowed purposes of our support for the people of South Vietnam in their present struggle is to protect them from the threat of unilateral intervention and to guarantee to them the right of self-determination.

Moreover, in the recent India-Pakistan fighting over Kashmir, we recognized the imminent danger to world peace posed by any unilateral intervention in what started out as only a small scale so-called brushfire war, but what could easily have escalated into a world conflagration.

And, though House Resolution 560 is without any actual effect in law, and is merely a gratuitous expression of House sentiment, it will nevertheless be interpreted by every anti-U.S. and Communist group in the world as proof that we still support the idea of unilateral military intervention—contrary to any and all disavowals we may now make.

In effect, we have just given the Communists one of the best propaganda weapons they have ever received, and we can be sure they will use it on us with deadly effectiveness.

The passage of this resolution is, in my opinion, particularly unfortunate because under our constitutional form of government, the President, not the Congress, is charged with the primary day-to-day responsibility for the conduct of U.S. foreign policy.

But the House resolution threatens to reduce an essential element of the President's flexibility in this vital area.

In addition, the limited House committee consideration of House Resolution 560, and the unusual "suspension of the rules" procedure under which it was brought to the floor of the House—thus preventing any amendments from being offered to remedy its obvious defects—both contributed to the impression of undue haste and lack of appropriate study for a subject with such immediate and long-range implications.

We must also realize that Latin America is moving rapidly into a new era—lead by such progressive nations as Mexico, Chile, Venezuela, and Brazil—and they will not tolerate a return to the old dominant/subordinate relationship between the United States and the other countries of the Western Hemisphere.

Rather than take a negative attitude toward these innovative and forward-looking reform-minded regimes, we should encourage them and offer our assistance to help them direct their revolutions of rising expectations into constructive and peaceful channels.

This was the basic idea behind President Kennedy's Alliance for Progress. And it motivated President Johnson's recent announcement of agreed guidelines for a fair and just renegotiation of the long-out-of-date 1903 Panama Canal Treaty.

The contrast, between these examples of outstanding executive branch leadership in creating the close hemispheric relations we desire for the future, and the wholly negative congressional approach as expressed in House Resolution 560, could hardly be greater.

It is my earnest hope, Mr. Speaker, that we in the House of Representatives will have another opportunity during the present session of Congress to help repair the damage already done by this resolution to the inter-American system of collective security, and to reaffirm our faith and our adherence to the cooperative principles on which the Organization of American States was founded.

The Pacific Community

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 6, 1965

Mr. HANNA. Mr. Speaker, as one voice, one sometimes feels a rather lonely voice, I shall repeatedly request to be heard for the advancement of the U.S. interest in the Pacific community. True, the focus of attention in this area presently is wrapped in the garb of conflict and clouded with concern. Nonetheless we can ill afford to neglect constructive attention to our long-term positive interests. Call it Pollyanna if you wish but I entertain an optimistic appraisal for the future of the Pacific.

The flood tide of history has an economic and moral wave which will engulf and ultimately overflow the temporary barriers of political conflict and the materialistic advantage seekers who are now chief motivators in many areas of the Pacific. Our destiny is for discovery of roads around the new existing barriers and onward toward greater markets; larger areas where the benefits of the scientific age can be spread and enjoyed; wider realization of the rising expectations of the peoples of southeast Asia and those others who enjoy with us the common rim of the Pacific.

I urge all Members in general, and my colleagues from the West in particular, to join me in forging our country's policies to include increasing interest in and commitment to the development and dynamics of the Pacific. We need to so direct ourselves for the continued expansive prosperity of our country as a whole and for the ultimate realization of the destiny of the Pacific States particularly.

THE PACIFIC COMMUNITY

(By Congressman RICHARD T. HANNA)

We heard much in the first half of the sixth decade of the 20th century about the Atlantic community.

Indisputably, the principal objective of our foreign policy in the 20 years since the end of World War II has been the building of a transoceanic community encompassing the nations of the North Atlantic—a community based on the shared values that are rooted in Western Civilization, united in the common defense of the West against the Soviet Communist threat, prospering through a great exchange of goods and services, and dedicated to the peace, freedom and betterment of all men both within and without the Atlantic community. With the goal of Atlantic unity in mind, American policy toward Europe has reflected brilliance, imagination, and step-by-step coherence—the Marshall plan, the North Atlantic Treaty Organization, American encouragement of European unity, and now the promotion in earnest of a grand new adventure in free trade characterized by the Trade Expansion Act of 1962 and the Kennedy round of talks to reduce tariffs currently being conducted in Geneva. The speeches of our statesmen have rung first with the promises and then with the achievements of the Atlantic community.

Clearly, our foreign policy has been first and foremost Atlantic oriented.

True, Atlantic unity has not been our only aim. We have actively sought to help further the growth of strong, independent, prosperous nations all around the globe. We have vigorously opposed aggression wherever we have found it—in Korea, in Lebanon, in Cuba, and now in Vietnam. Nevertheless, our primary concern has always been Europe and the building of an Atlantic community.

But the time has come for us to broaden our vision. Ours is a Nation whose shores are washed by not just one great ocean, but two. And to the west, in the free nations rimming the vast Pacific basin, firm foundations have been laid for another transoceanic community. In Japan and Korea, in Taiwan, the Philippines, and Hong Kong. In Thailand, Malaysia, Australia, and New Zealand. And, indeed, in the west coast and the Pacific Islands of our own United States of America. This, if you will, is the Pacific community. Conceived by geography, molded by history, it is a community newly wrought but well established.

The Atlantic provided a great highway to a new land for the adventurous, the destitute, the persecuted, the pernurious. They came from Europe seeking a new opportunity in America. Also across the Atlantic came the foundation stones of law and Western civilization upon which this Nation was built. Strong blood ties and a common culture have always bound us closely to Europe, and it is easy to see the natural affinity which we have with our Atlantic neighbors.

From the moment of the Pilgrims' landing, however, the American thrust has been westward—westward to the Oregon Territory, California, and the Pacific Ocean. In 1849, over a century ago, California joined the Union and this Nation became a potential member of a new community. The United States had reached the Pacific Ocean, and that ocean now linked our future to those of Asia, Australia, and New Zealand.

Across the Pacific we looked westward to an ancient people who boast a strange but very rich, very old culture and a proud heritage. Yet it was not our nature to shrink or withdraw from the strangeness of the oriental civilization nor to be unduly impressed by its age. Instead, we chose to go out and meet it, welcome it, join with it. In the war and the peace of modern times history has recorded that we have played a great and active role in the Pacific community. We have joined many times in efforts around the world with our western cousins in Australia and New Zealand. We opened Japan and Korea to trade and commerce. We called for the open door in China. We joined the Philippines in their break with Spain and intermingled our history with their own achievement of independence and democracy. Hawaii has joined our Union now, and we hold mandate power over many other island communities throughout the vast reaches of the Pacific.

History has bequeathed us a destiny in the Pacific community, and that destiny demands that we shall never relinquish our membership therein. For we learned long ago that the Pacific is not a barrier but a highway, a highway that can bring us the horror of war as it once did and as it may do again, or a highway that can bring us the treasures of trade and cultural exchange as it does today, and as we hope that it will always do. The Pacific does not separate us from Asia, Australia, and New Zealand; it binds us to them. Because of this, the troubles of Asia are our troubles, as the last quarter of a century of history has so tragically testified.

But the opportunities of our Pacific neighbors are also our opportunities. To this fact, also, both the past and the present provide abundant affirmation. Pacific nations last year purchased almost $4 billion worth of American exports.

A single Pacific nation, Japan, to whom we sold almost $2 billion worth of goods last year, has become this country's most important overseas trading partner, second only to our continental neighbor, Canada. A Pacific State, California, now leads the Nation in exports. And Pacific ports of the United States handle over 30 percent of this Nation's waterborne trade, yet the tremendous economic potential of the Pacific community has only begun to be realized.

Although its members represent divers phases of economic development from highly industrialized to less sophisticated developing societies, underlying that diversity of development is a common denominator of dynamic change and upward moving economic growth.

This is a community swept by a revolution of rising expectations. With that revolution have come high rates of economic growth, rising personal incomes and rapidly expanding trade. In all of the Pacific lands there is an atmosphere of progress, a feeling of forward motion and a burning desire to move up the ladder of economic development.

This is a community building at a furious pace—dams, roads, factories, skyscrapers, oil refineries, and schools. Construction is everywhere, and steel girders and bamboo scaffolding dominate the Pacific skyline from Sydney to Bangkok, from Hong Kong to Tokyo, from Taipei to Manila.

This is a community suddenly grown thirsty from knowledge, where illiteracy is fast becoming obsolete. Knowledge is power; knowledge is advancement, and the Pacific peoples know it.

This is a community of peoples working hard, working successfully to achieve a better life for themselves and their posterity.

Much has been said and written of Asian despair. We remain impressed by Asian improvement and Asian hope.

Within the Pacific community we are witnessing a truly exciting phenomenon—a chain of development is taking place, a chain of development that is providing the basic dynamics for the upward movement of the entire membership of the Pacific community including our own Nation. Already highly industrialized nations are reaching upward for even higher degrees of sophistication, higher outputs, higher standards of living. In turn, well-developed, prospering agricultural nations are moving vigorously and purposefully toward industrialization. Less developed nations are loosening the grip of a dead past, breaking the chains of tradition, and surging headlong into the 20th century. Throughout the Pacific community the thrilling idea is spreading and growing that there exists a better way to get things done, that there is a better life to be had.

Japan has already turned from light to heavy industry, from labor-intensive to capital-intensive methods of production. Taiwan and Hong Kong now successfully compete in markets for light industrial goods once reserved exclusively to Japan by technological default. Thailand and Malaysia are modernizing their agriculture, diversifying crop production, and building a light industrial base of their own. Korea is spiritedly striving to uplift both agriculture and industry. Australia is undertaking a thorough modernization of her economic complex at all levels, and New Zealand seeks to reduce dependence upon the grass economy that has made her the world's leading exporter of mutton and which has given her people one of the world's highest living standards.

The chain of development within the Pacific community offers vast opportunities to its members. A suggestion for a Pacific Common Market put forth this summer by Mitsui & Co. president, Tatsuzo Mizukami, indicates a recognition of that opportunity. "Is there any valid reason why we should not work to the end of oneness in our trading interest—a oneness of peace and better standards of living?" he asked at a meeting with representatives from Australia and New Zealand recently. He called for such a Common Market to include "other interested communities of the Pacific."

For America it means markets—expanding, profitable markets for our capital equipment, for our construction materials, for our mining equipment. It means markets for our hydraulic pumps, our irrigation equipment, and our farm machinery. It means markets for our foodstuffs, our heavy electric generators, our trucks, and jet airplanes, and on and on and on.

These markets exist not only in the future but the present as well. These nations are on the move, now. They hunger for the equipment and for the technical know-how that will get them where they want to go, now.

We can supply it to them. We need only summon the courage, imagination, and ingenuity that have been the traditional hallmarks of American entrepreneurship.

And this is only the beginning. As these nations develop, as high growth rates push them ever upward, as the personal incomes of their peoples rise, a potential market of 240 millions of people will open up for consumer goods, leisure goods, sporting goods, and tourism. This process has already begun, but this vast market for consumer goods remains yet to be effectively tapped.

The potential for Pacific commerce is great, the opportunities for America vast. But if the Pacific nations comprise a great community, thriving commerce is not that community's only promise. For the Pacific community is also a dynamic cultural entity wherein the best elements of two great civilizations meet and interact to enrich the cultural life of all Pacific peoples.

To the southwest, Australia and New Zealand carry on the best traditions of Western civilization.

To the west lies the rich diversity of east Asian civilization; for over a century its philosophy, art, architecture, and unique style of landscape gardening have profoundly and conspicuously influenced our tastes and enriched our own civilization.

Conversely, our civilization has had an impact upon east Asia so vast as to be inestimable.

As the Pacific community develops closer ties, increased contact will bring all of us greater understanding and a richer life. Strengthening the growing cultural bonds between the Pacific nations are 900,000 of our Nation's citizens who claim Asian ancestry and who have contributed enormously to their country and especially to my own State, California.

Plainly, the cultural, historical and commercial bonds of the Pacific community are strong and continually growing stronger: Japan, for instance, is moving to replace Great Britain as Australia's principal trading partner; New Zealand is looking more and more to Asia as a market for her food products and a source of her supplies; Korea and Japan are on the verge of ratifying a history-making series of treaties which will normalize their relations.

Underlying this solid, growing structure of a Pacific Community is the firm unity of purpose among its members to resist Communist subversion, the common desire to stabilize the dangerously delicate balance of power in the Far East, the fervent wish shared by all to establish and maintain peace.

The Pacific nations fully realize that a Communist threat to the peace and freedom of one of them threatens the peace and freedom of them all. They know that progress is the partner of peace and not of war. They know that you can't grow rice in a battlefield or feed hungry people with howitzers and bayonets.

Thus, although there is no Pacific NATO, the Pacific nations have fully recognized their common interest and regard to peace and security—that is why Australia and Korea have courageously contributed troops in Vietnam; that is why the Republic of China on Taiwan has offered to do the same; that is why the Philippines has sent engineers and medics to that country; that is why Japan and Thailand fully support our position there.

And we ourselves cannot forget, we must not forget, the lessons of 1941 and 1950, so painfully learned, that the security of the United States depends upon the security of the entire Pacific community, which in turn hinges upon the security of each of its members—the smallest as well as the greatest.

The Pacific community, then, exists as something far more than a mere fact of geography. For America today the Pacific community is vital strategically, important economically, enriching culturally. Yet, I firmly believe that in terms of its actual potential the surface has only been scratched. A great future lies in the Pacific, and to assure our part in its promise we must do our part.

We cannot begin too soon. The time has come for us to look to the Pacific, to focus our attention there, to encourage in every way the development of the Pacific community, to build in earnest and thereby to take our part in a great adventure.

I do not mean to detract in any way from the magnificent dream of the Atlantic community. Indeed our task there is unfinished and will demand our closest attention for some time to come. For although two decades of brilliant diplomatic and economic achievement have been wrought in the Atlantic, much remains yet to be done and we must not let up in our endeavor there.

But the task in the Pacific is equally urgent. Therefore, while we should not divert our attention from the Atlantic to concentrate only on the Pacific, we must expand our efforts to give equal time, equal effort, equal attention to the task of building, strengthening and bringing closer together the Pacific community. We must multiply the ties with our Pacific neighbors. We must strengthen the old bridges across the Pacific and build new ones—bridges of commerce, culture, and diplomacy; bridges of knowledge and understanding. Let us venture into the Pacific frontier with purpose and vision and without fear to search out the opportunities there both present and future.

Let us go forth to sell our goods in the markets of the Pacific not only for present profit but also to establish our claim to an expanding future. As I have already pointed out, the demand is heavy, the opportunities vast. American goods are sought after throughout the Pacific, highly prized for their excellent quality and advanced design.

But, in capturing Pacific markets we face two serious, closely related challenges: complacency on the one hand and competition on the other. The time once was when Pacific markets went to U.S. traders by default. The war left the American industrial complex unimpaired, while that of the rest of the world lay largely in ashes. Too, American businessmen received a healthy assist in selling to Asian markets from the U.S. AID program.

But this is all becoming less and less the case. Sharp competition has appeared on the Pacific scene, especially from West Germany and Japan. Their industries fully recovered from the war, these countries are vigorously seeking to establish markets for their industrial goods. They come armed with a variety of commercial weapons including highly sophisticated sales techniques, good service, and liberal credit. Meanwhile, the U.S. AID program in the Pacific is fast declining, and with it the advantage that it once gave to U.S. businessmen in establishing markets.

We should not decry the new competition.

Rather, we should welcome it and go out to meet it by sharpening, strengthening, and diversifying our competitive tools. We must become sophisticated in the business of international trade. We must keep our commercial fingers on the pulse of Pacific markets, know the needs of the present and anticipate those of the future. We must be prepared to adapt our products to local Pacific needs, vigorously promote their sales, set up lines of effective service on a transpacific basis, and provide sound, but liberal and imaginative credit terms to our Pacific customers. These are the methods that will sell our products. This is the way in which we can reap the harvest of opportunity in the Pacific and sow the seeds for future, richer harvests.

Furthermore, let us make a conscious effort to widen and deepen the flow of cultural exchange within our Pacific community. It is discouraging to note that our official cultural exchange program with Europe has been at least five times greater than that for the nations of the Pacific. Far fewer Americans visit Asia than Europe. Far fewer Asians come to this country than do Europeans.

Let us rectify that imbalance. Granted that the distances are greater, the languages more difficult, and the cultures strange and alien. But the importance of the Pacific community with its millions of people to this Nation and our consequent need for first-hand information about this area demand greater efforts to increase contacts on all levels with our Pacific neighbors.

Let us therefore take positive steps to encourage a greater cultural exchange of persons, art and literature, both officially and unofficially, among the Pacific nations.

Let us stimulate the interchange of ideas among Pacific scholars, businessmen, professional men and, indeed, men and women of all occupations and all walks of life.

Let us encourage Pacific-wide cooperation in scientific endeavors concerning problems that affect the entire community—such as oceanography, communications and space, to name only a few.

Let us develop a greater flow of tourism in both directions so that the citizens of the Pacific community can better get to know and understand each other.

Increased contact with our Pacific neighbors will widen tremendously our cultural horizons and richen our lives. A greater interchange of persons and ideas will help us make the unfamiliar familiar so that we may build on the firm supports of mutual understanding rather than falter on the rocks of ignorance.

Moreover, we must strive to inject new energy into our Pacific diplomacy.

Let us make it clear to our neighbors that America does not seek hegemony in the Pacific. Rather, we seek the establishment of a working partnership with the free nations of Asia and the Pacific Southwest to secure jointly our liberty, to work for our mutual prosperity, and to participate together in a great adventure of cultural enrichment.

A stronger Pacific community must be based upon mutual respect as well as mutual interest. Let us therefore respect the national integrity of our Pacific neighbors, some of whom are only now emerging as modern nations with a proud sense of their own identity. Let us applaud their achievements, help them with their obstacles, and treat them as partners to be consulted and not ignored. Let us also intensify our efforts to dissolve the small barriers that stand between us and the achievement of our great common objectives.

Among our most important diplomatic objectives in the Pacific must be that of bringing those nations into the Pacific community who lie within its confines but who do not now share its bounty or spirit as they should—Laos and Vietnam because they are now engaged in a fight for their lives against Communist aggression; Cambodia and Indonesia because for the time being they have misinterpreted history and believe that the future of the Western Pacific does not include the United States. Instead, they believe that the future lies with Red China, and they have acted accordingly.

These troubled southeast Asian nations are potentially very rich: their soils are fertile, their growing seasons long. They are generously endowed with natural resources. Their combined populations aggregate over 100 million people—100 million people who could contribute much to, and receive much from, the Pacific community. Let us then work diligently to bring these nations into the Pacific community that we and they might all be the richer and the safer for it.

To the end that the people of Laos and Vietnam may be freed from war and from the threat of future aggression, and to the end that Cambodia and Indonesia may see that they need not fear Communist China, Communist aggression in southeast Asia must be stopped once and for all and the situation stabilized.

At the same time, we must join with our Pacific neighbors to do what we can to help these southeast Asian nations lift themselves from stagnation and war into the chain of dynamic, peaceful development that characterizes the rest of the Pacific community.

This we can do by continuing our vigorous diplomatic efforts, by encouraging regional, self-help projects such as the Mekong River Basin development and by remaining in the forefront of those who advocate the creation of an Asian Development Bank which will encourage Asian nations to help themselves in a responsible way by providing them with the means and the credit to do it on a sound, businesslike banking basis.

Japan, Korea, Thailand, Taiwan, Malaysia, the Philippines, Australia and New Zealand are ready now to join in an Asian Development Bank with us. This will prove to be an important beginning in the creation of institutions through which we can join our mutual efforts for a better future in the Pacific basin. Later, others will be in a position to join when trouble subsides in Laos, Vietnam, and Cambodia, when Indonesia sees the prosperity of peace and the gain in cooperation against the losses of belligerence. There will be room for all who come in friendship and good will, who are willing to pledge mutual respect and undertake mutual responsibilities.

For America the Pacific community is a complex and many-faceted challenge, but countless opportunities beckon. The promised returns for our toil are large with value, and the stakes are tremendous.

At stake is the growing trade which is fueling the vigorous growth of the Pacific nations.

At stake is the promise of a culturally richer world.

At stake is the very survival of the United States as a Pacific power and perhaps as a nation.

Clearly, the Pacific community is worthy of our efforts. We must meet the challenge in the Pacific in all of its aspects. We must claim our opportunities there.

The key to both challenge and opportunity ultimately lies in understanding and knowledge. We must therefore educate ourselves about the Pacific. We must learn about its nations and its peoples. We must extend the scope of our vision that we may see the Pacific as an integral whole, as a community of nations.

This we have long been able to do with Europe. When the term "Europe" is used, we have little trouble in grasping its meaning geographically, economically, politically, and militarily. We are able to visualize the broad developments now sweeping that continent. We are able to grasp the interrelationships between, say, military strategy, economic prosperity and political stability in Europe.

But in Asia, these interrelationships all too often elude us; there, we tend to compartmentalize our thinking, more often than not focusing on the bits and the pieces rather than on the whole. Compact and close, Europe is tangible and meaningful. Asia, however, is vast and mysterious. Unlike Europe, knowledge of its geography, its cluture, its peoples is not so familiar to most of us Americans.

Unfortunately, we tend usually to focus only on the crisis areas in Asia rather than on news of progress and development. In Europe, we are, of course, very much aware of Soviet and American confrontation, of the recurring crisis in Berlin, and of the deeper problem of German reunification which underlies it. But we are equally aware of the great progress that Europe has made in the past decade, whereas in Asia, as I have long pointed out, developments which are sweeping the rimlands of the Pacific, and which are equally as exciting and equally as significant for us as those in Europe, lie hidden behind news of war in Vietnam, confrontation in Malaysia, and tension in the Formosa Straits.

We have been unable to see the forest of Pacific progress for the trees of Pacific troubles.

Yet, as in Europe, so in Asia, and understanding of the stories of crisis on the one hand and those of dramatic progress on the other, are intimately related to one another. I think that in this regard many of those who protest our policy in Vietnam do so because they are unaware of the dramatic progress taking place in the rest of Asia, progress that has been achieved free from Communist interference, progress that depends very much for its continuance upon an Asia that is strong, peaceful, independent, and not subject to the uncertainties of Communist Chinese suzerainty.

Understanding of the whole Pacific is thus terribly important for the American people. It is the ground upon which our Pacific efforts and Pacific policies must be based. It is the foundation upon which the Pacific community must be built.

Let us, therefore, become Pacific minded as we have become Atlantic minded.

President Kennedy once asked us to think "intercontinentally" as Alexander Hamilton had once asked his contemporaries to think "continentally." We have long been able to think "Atlantically." Let us now learn to think "Pacifically."

SENATE

THURSDAY, OCTOBER 7, 1965

(Legislative day of Friday, October 1, 1965)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, Father of our spirits, whose power is unsearchable and whose judgments are a great deep, at the beginning of today's deliberations we would quiet our hearts in Thy presence.

Give us to see that we will never find Thee in any mystery that may be disclosed beyond the frontiers of our present knowledge, but that we can find Thee in heavenly visions which are not denied, in truth that is not crucified, and in faith that does not falter though pressed by every foe.

O God, our lives are so swiftly lived; as the flower that fadeth and the grass that withereth, so are we, yet our dust can breathe Thy breath. Our relationships in the home, on the street, in the church, in the school, in the marts of trade, and in the halls of government can make us partners in Thy purpose and intent for ourselves, and for every child of Thine.

Help us to put into the fugitive fragments of every day such quality of devotion for the tasks of Thy universal kingdom of love that shall make us unashamed when the day is over and all the days are done.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, October 6, 1965, was dispensed with.