United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, SECOND SESSION

SENATE

TUESDAY, AUGUST 16, 1966

(Legislative day of Monday, August 15, 1966)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

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

Our Father, God, as noontime marks the hurrying day and our words are hushed to silence, we would bathe our hearts and minds in the glorious thought that amidst all life's changing scenes we are with Thee.

Purge us, we beseech Thee, of low desire. Lift us to high resolve. In this great hour of human destiny, deepen in us the sense of surpassing opportunity and responsibility, yea, of a glorious mission to do our full part in averting a global catastrophe as our willful world is given one last chance to make this earth a decent habitation for all Thy children. May it be in Thy providence that our America, desiring nothing but peace for herself and for all the world, may come to the Kingdom for such a time as this.

In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. LONG of Louisiana, and by unanimous consent, the Journal of the proceedings of Monday, August 15, 1966, was approved.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that there be a 20-minute period for the transaction of routine morning business, and that all statements in it be limited to 3 minutes.

The VICE PRESIDENT. That is in accordance with the previous unanimous-consent agreement. It is so ordered.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I wish to address these remarks to the acting majority leader. I have a 10-minute speech to deliver, and if no other Senator seeks recognition in the morning hour, this would be an advantageous time for me to make it.

May I ask the acting majority leader whether this meets with his approval.

Mr. LONG of Louisiana. Mr. President, if the Senator will withhold until Senators speak who have 3-minute statements to make, there will be no objection.

GREAT EFFORT

Mr. YOUNG of Ohio. Mr. President, an outstanding example of peaceful cooperation between citizens of all nations is the annual Pugwash Conference, named after the small town in Nova Scotia where these conferences were inaugurated 11 years ago, under the leadership of Cyrus Eaton of Cleveland who is a distinguished humanitarian, a great philanthropist, and a fine loyal American who has worked untiringly in the interests of world peace and for coexistence between the Soviet Union and the United States instead of pursuing a collision course leading toward coannihilation.

Since that time scientists and scholars have met annually in Pugwash and elsewhere in the world for serious and scholarly consideration of the many problems confronting mankind. It is the most noted nonofficial meeting place for men and women of great intellect from nations the world over.

Cyrus Eaton is also chairman of the board of the Chesapeake & Ohio Railroad Co., and one of our Nation's outstanding industrialists. It is in great part due to his efforts that the Pugwash Conferences have been a notable annual event in the intellectual world. He is to be commended on this important effort toward bringing about better understanding between men and nations in the cause of world peace.

Mr. President, on last August 8 there appeared in the Chronicle-Herald of Halifax, Canada, an excellent editorial on this subject entitled "Great Effort." I ask unanimous consent that it be printed in the RECORD at this point as part of my remarks.

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

[From the Halifax (Canada) Chronicle-Herald, Aug. 8, 1966]

GREAT EFFORT

Duncan Wimpress, president of Monmouth College, Monmouth, Illinois, and a participant in the recent Pugwash Conference on Indian Civilization, has described the gathering as "the intellectual experience of a lifetime."

In one way or another, this is the sort of assessment which many have been moved to make since the inauguration of the Pugwash conferences 11 years ago.

An expression of the vision of Cyrus Eaton, the conferences have made the name of the Nova Scotian town universally known. Indeed, Pugwash has become synonymous with the serious and scholarly consideration of the problems confronting modern man. While proximity of the event makes evaluation difficult, it already seems apparent that Mr. Eaton's efforts in the cause of peace, and the Pugwash conferences are a part of that effort, will increasingly stand out as a significant factor in our generation.

Refusing to retire even when the days of his years had exceeded the prescribed three score and ten of the Psalmist, ignoring the constantly changing winds of public opinion and disdaining to be circumscribed by convention, the Nova Scotia-born industrialist maintained for years one of the few extra-diplomatic ties between the United States and Russia.

Two years ago, The Washington Post acclaimed him as a sort of unofficial ambassador of peace. Meanwhile, in Pugwash and elsewhere in the world, too, the Pugwash conferences which Mr. Eaton had instituted continued to be held, a meeting place for great intellects from both sides of the Iron Curtain.

Mr. Eaton's persistence in pursuing the cause of peace ought to be an inspiration to all men everywhere.

It seems probable that, on the contemporary world scene, no living Nova Scotian is better known than Cyrus Eaton.

INTEREST RATE INCREASE

Mr. GORE. Mr. President, it is shocking to some to be brought face to face with the sharpness of the increase in interest rates in recent months. As a matter of fact, a few specific examples have shocked me, and I have been following this matter quite closely.

Here is an example furnished by one of my constituents from his own unhappy experience. This constituent is an automobile dealer, and he has been hard hit this year by the sharp increase in the interest cost he has undergone to carry his inventory.

This dealer, during the first 7 months of this year, and during the first 7 months of 1965, did about the same amount of business, with sales in each period amounting to a little over $1 million. But during this 1965 period his interest cost for carrying inventory amounted to $4,385.08, while this year it jumped to $7,822.52.

Mr. President, I shall await the attention of the Presiding Officer, because I think he might be the one who could take the message to the right place.

The VICE PRESIDENT. The Presiding Officer is listening.

Mr. GORE. Then I shall repeat the point I just said.

An automobile dealer in my State, who has written me, gives this example: In 7 months in 1965, he carried about the same inventory as in 7 months of 1966. His cost of doing business, or rather of

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

paying interest on inventory, in that period of 1965, was $4,385.08, while for a similar period in 1966, the interest cost of doing business, of carrying his inventory—a small automobile dealer—was $7,822.52.

Mr. President, what is this dealer to do when his interest cost almost doubles? He did not have a big profit as General Motors did. He had a profit margin of about 1 percent of sales, or something over $10,000 for this 7-month period.

So on this one cost item, interest for carrying his inventory, he has lost about one-third of his profit. He has obtained no benefit, and neither have his customers. Both he and his customers, working people who have purchased automobiles on time, have been hurt.

The VICE PRESIDENT. Three minutes have expired.

Mr. GORE. Mr. President, I ask unanimous consent to proceed for 5 additional minutes.

The VICE PRESIDENT. Is there objection?

Mr. GORE. I am so pleased and complimented with the attention of the distinguished Presiding Officer.

Did the Chair hear objection?

The VICE PRESIDENT. The Chair heard none. The Chair welcomes the 5 minutes.

Mr. GORE. Who benefits from this? Not the American people; not the small businessman, whose profits are being squeezed and who has to increase his prices; not the consumer, who buys an automobile and has to pay more because the dealer has to pay more interest cost, and whose monthly payments are increased because of higher interest rates. Who benefits? Not the Democratic Party, I assure you.

Who benefits? The relatively few who have inherited or have otherwise acquired accumulated wealth, and who are enjoying, under this policy, a privilege almost tantamount to the privilege of levying taxes upon the American people and pocketing it.

Of course, when his customers make their purchases, as I have said, they must face the increased burden, and another large slice of purchasing power is eaten away and moves into the pockets of those who have lendable funds.

Getting back to home loans, which I have discussed on previous occasions, I note that according to the Wall Street Journal, the average interest rate for conventional loans on existing homes in June was 6.18 percent.

According to an article in the Christian Science Monitor for July 30, 1966:

> Average rates in most large city areas are running around 6½ percent.

Los Angeles: "Typical" mortgage loans are negotiated at 7⅕ percent.

Some instances of mortgages being negotiated at 7½ percent were cited. And these are not second mortgages on rundown, risky properties. These are first mortgages on good houses, with substantial downpayments and purchasers with good credit.

Such rates as these are usurious, and would be so defined under the laws of many States. Most States have usury laws, but ways have been found around many of them, and I suppose a way will be found to skirt them with respect to home mortgages.

My own State of Tennessee has a usury statute, and it is already being alleged that funds are fleeing the State because of this fairly tight statute. Some agitation is already underway to loosen up the State law. This is hardly the way to fight this problem. Interest rates must be brought down, not pushed up.

Mr. President, not only are high interest rates harmful, but the tight money situation which exists at the behest of the Federal Reserve System also encourages all kinds of racketeering in connection with loans.

During the tight money days of the Eisenhower administration, the practice of automatically loading on term life insurance became widespread. This sort of thing, once established, is hard to get rid of, and persists even when money loosens up a bit. Today, the borrower has no opportunity to escape a charge for overpriced term life insurance. If he objects, the loan is simply not made. Even respectable banks today load on term life insurance as a matter of course.

A few years ago, discounting of FHA and VA mortgages began to be practiced. Repeated increases in allowable interest rates did not satisfy lenders. They took the increased rates and still added on "points." Once this sort of thing gets started, it is difficult to stop it. And it spreads. Often, even the real estate broker, in addition to getting his 5-percent fee for negotiating a sale, will tell the money lender to add on a point or two for him as an extra loan-finder's fee.

Mr. President, we must break this chain. We must reduce the share of national income going to the dead hand of the money lenders.

Franklin Roosevelt would turn over in his grave if he could hear this speech. Franklin Roosevelt ran the money changers out of the temple and financed a war at reasonable interest rates. Harry Truman did the same thing. Now the money changers are back in the temple, and we have the highest interest rates since the administration of Warren G. Harding, 45 years ago. Johnson interest rates are higher than Hoover rates.

I hope the Vice President will take this message to the right place. I hope action will be taken, because unless action is taken now, the American people will have no choice but to take action themselves.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. May I suggest to the Senator that he ought to chastise someone other than the Vice President.

Mr. GORE. I am not chastising the Vice President. I am trying to enlist him as a messenger.

Mr. LONG of Louisiana. May I suggest that the press of this Nation treats this matter as though it is a greater national secret than the atom bomb. The press will not print a word about it. I would be willing to wager that the Senator's address will not even be reported in the press.

If a newspaperman dares write something about high interest rates, it is spiked by the newspaper publisher. If the editor dares let it go through, he loses his job.

Is the Senator aware of the treatment he has been receiving from the press with respect to the fight he is making for the people in this high-interest-rate matter?

Mr. GORE. Now and then, by searching diligently, I find a few paragraphs about it here and there.

Mr. LONG of Louisiana. I have had newspaper reporters tell me that this issue is more on the tongues of people than the Vietnamese war. But one cannot read about it in the press. I cannot find a word in the newspapers about the views of the Senator on the high interest rates. I have searched in vain, thinking that this was real news. Here was a Senator getting up and saying that his own administration should straighten up and fly right on high interest rates. I regret to say it, but although everyone, in my judgment, thinks that that is big news, one cannot find a word about it in the newspapers. But by word of mouth people are talking about it every time that they meet on the streets.

Mr. GORE. I appreciate the observations of the distinguished acting majority leader, the Senator from Louisiana [Mr. LONG].

I wonder how it would be possible to obtain more attention to this problem that is growing worse. I have wondered if it would help if I reached back into the past and got some speeches that then-Senator HUMPHREY, and then-Senator Johnson made on the subject. Then, perhaps I could create a mystery as to how the Johnson-Humphrey administration could be so different from the speeches of Senators Johnson and HUMPHREY. Does the Senator think that this would help?

Mr. LONG of Louisiana. No. My guess is that that would not be news. That would be old hat.

Mr. GORE. I had even thought that I might send to the library and get Andrew Mellon's book and read from the book the blueprint of the current policies. Does the Senator think that that would help?

Mr. LONG of Louisiana. No. I think that perhaps the only way to get publicity in regard to this matter would be to get a parachute and jump off the Washington Monument and carry a sign on the way down. That might get attention.

Mr. GORE. Coming down would be out of style, if one wished to keep in style with interest rates. Again this morning I notice that the rates are going up. I do not want them to get higher than the Washington Monument.

I appreciate the comments of my friend, the Senator from Louisiana [Mr. LONG].

Some instances of mortgages being negotiated at 7½ percent were recited. These are not second mortgages on old and rundown risky properties.

The VICE PRESIDENT. The Chair regrets to inform the Senator that his 5 minutes have expired.

Mr. GORE. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GORE. These are first mortgages on good houses with substantial downpayments, and purchasers with good credit.

But what about a $10,000 home? I have just walked over to the floor of the Senate with a newly married couple. We discussed interest rates and buying a home.

One of the great advances made in the last quarter of a century has been programs to make it possible for young people to buy decent homes in which to rear their children. In previous generations young couples faced the prospect of living in inadequate homes and finally being able to buy a home after their children had left school and gone. This has been a great advance in the American standard of living. However, this advance is going in reverse now. Balloon rates of interest in a Democratic administration. Let us do something about it.

Mr. LONG of Louisiana. While the Senator from Tennessee [Mr. GORE] was discussing the subject, I thought he would like to recognize that this is a great day in the history of this country. We are having reported to this country the greatest monopolistic, giveaway program in the history of America, the McClellan patent rights bill, which gives away patents on atomic energy, TVA, and $15 billion of Government research.

As I understand the bill, it proposes that we give away, and we know what we are giving, monopoly rights on 85 percent of the $15 billion we spent in research. Then, we reserve the right to give away the rest. I believe that this will be the greatest monopoly bill in the history of America. The Senator picked a fine day to talk about high interest rates. This would amount to $26 billion a year in giveaways, the way that it stands now. Under the bill being reported today we are going to give away $15 billion a year in patent rights. I hope that the Senate will defeat it. It will be reported today.

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

Mr. LONG of Louisiana. I yield.

Mr. GORE. I will be here and I will listen when the bill is brought to the floor. I would like to be able immediately to throw it out.

The Senator will recall that I have the dubious honor of having organized and partly led the longest continuous filibuster in the history of the Senate on the Atomic Energy Act of 1954. This filibuster was both constructive and successful. During the fight we won this battle with respect to atomic energy research and development patent rights. This was one victory that we won in that fight.

Is the Senator telling me that the proposed McClellan bill would repeal that?

Mr. LONG of Louisiana. Of course, it would. The Senator will have to win his spurs over again if he hopes to maintain his position. That was one of the great fights that the Senator made in the history of the Senate. That filibuster gave responsibility to unlimited debate.

The Senator from Tennessee [Mr. GORE] and a number of other Senators, saved atomic energy secrets from being given away to a few private corporations. Now, I understand that there will be reported today the McClellan bill.

Mr. GORE. What is the genesis of the bill? This is not an administration request, is it?

Mr. LONG of Louisiana. I fear that if it should be passed the President might sign it. I might say to the Senator that all administration witnesses testified to this.

Mr. GORE. I shall join the Senator in seeing that it does not pass.

Mr. LONG of Louisiana. I shall help the Senator.

Mr. JAVITS. Mr. President, I have listened to the Senator from Tennessee [Mr. GORE] expressing his deep feelings about higher interest rates. I could not agree with him more, and I believe that we are in for some rather profound remedies.

It is my purpose, in the time that I have, to lay before the Senate and the country the possibility of doing something about this situation, which I think is finally getting attention.

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

Mr. JAVITS. I yield to the Senator from Tennessee.

Mr. GORE. I shall welcome the efforts of the Senator in this regard. I take great encouragement from the position he has just taken and I shall listen with interest.

Mr. JAVITS. Mr. President, with the cooperation of the Chair, the Senator from Nebraska [Mr. HRUSKA] will be recognized. Then, he will yield to me for a few minutes.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The Senator from Nebraska [Mr. HRUSKA] is recognized.

Mr. HRUSKA. Mr. President, I yield 10 minutes to the Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from New York is recognized.

PRESIDENT, CONGRESS MUST ACT TO HALT INFLATION

Mr. JAVITS. Mr. President, whatever the rationalizations of the President's economic advisers, the country is in the midst of serious inflation. Current indexes show the seriousness of the situation and reliable analysts point to a worsening economic situation unless corrective action is taken and soon.

And yet, the administration's policy has been one of drift. I believe that the American people have a right to know now what it will take to pay for the Vietnam struggle and to continue a high level of noninflationary domestic growth. If the administration is indeed approaching the economic situation with one eye on the November elections, it should realize that there can be no long-range political gain if the voters are led to believe before the elections that the economy will right itself without drastic fiscal action and then find themselves faced with a stiff tax increase after the elections. This would be the height of political irresponsibility.

Even the President cannot perform miracles. The choices before him are limited: he can cut nondefense expenditures in the Federal budget; raise taxes; tighten money even more; impose credit controls; seek authority for price and wage controls or use a combination of these measures. But he must act or face a rapidly deteriorating economic situation.

After almost 4 years of steady expansion without a serious increase in prices, prices began to rise sharply in early 1965. Wholesale prices have risen 3.4 percent over the past year, including an increase of 0.7 percent in July alone. Over the past year consumer prices have increased by 2.5 percent. Unemployment remains, considering the last decade, at the relatively low level of 3.9 percent and every sign indicates the U.S. plant is reaching capacity utilization, with many industries now operating over their preferred rate. There is no evidence that future months will bring a lessening of inflationary pressures, with Vietnam expenditures likely to expand substantially over the near term and important wage contract negotiations coming up in the next 12 months in key economic sectors.

In view of this situation, the President's reluctance to act is difficult to understand outside the political context. Just yesterday, the proposed agreement to settle the airlines strike gave fresh evidence of the Machinists Union's unwillingness to settle for a contract within the "guidelines;" the steel companies are now telling us that if it is OK for the airline mechanics to violate the "guidelines" why is it not OK for the steel companies; bread and milk prices are also rising sharply.

The President should not hesitate to deal realistically with inflation any more than he would hesitate to follow what he considers realistic policies in Vietnam. There is no alternative to responsible leadership. In terms of its consequences to the American people and the world economy, it would be no less a tragedy to lose the war on inflation at home than to lose the war in Vietnam.

My own recommendations are as follows:

First, we should not cut such vital nondefense expenditures as aid to education but we should postpone or stretch out such postponable Federal expenditures as some Government construction or space exploration projects.

Second, the President should ask the Congress to enact a special temporary tax—across the board—to finance rising Vietnam costs and to further dampen civilian demand and to lessen the Government's excessive and harmful reliance on monetary policy—tight credit and high interest rates.

Estimates in top economic circles of Government, as reported in the press and various outlook reports, indicate that total defense spending will continue to rise by about $2 billion every 3 months until mid-1967 at least. This, the experts say, would mean a defense spending pattern about $5 billion higher in the current fiscal year than the estimate last January.

Congress should enact a temporary special Vietnam tax across the board—yielding between $5.5 and $7 billion a year—before we adjourn this year, and the sooner the better. This could take the form of a 5-percent temporary surcharge or a combination of a 1½- to 2-percentage-point increase in indivdual income tax rates and a 2½- to 3-percentage increase in corporate tax rates.

Finally, I propose that there be instituted a voluntary credit restraint program modeled after the Korean war program from March 1951 through May 1952 which met with considerable success. This should be instituted immediately. The purpose of the program would be to encourage lending institutions to extend credit in such a way as to help maintain and increase the strength of the domestic economy through the restraint of inflationary tendencies and at the same time to help finance the requirements of the war in Vietnam and essential domestic needs.

Mr. President, to make such a program possible, I introduce, out of order, a bill, and ask that it be received and appropriately referred, to amend section 708 (b) of the Defense Production Act of 1950, as amended, to exempt from the antitrust laws lending institutions—commercial banks, mutual savings banks, savings and loan associations, investment banks and life insurance companies—entering into a national voluntary credit restraint program, if such a program first meets the approval of the President.

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

The bill (S. 3726) to amend section 708 of the Defense Production Act of 1950 to extend the coverage of that section to voluntary agreements or programs for the control of credits, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. JAVITS. Mr. President, if Congress passed such a measure, the President could delegate his authority to the Federal Reserve Board, which, in close consultation with leaders from the private lending field, could formulate a program of voluntary credit restraint and establish criteria for distinguishing between credit for essential and nonessential production and distribution. The Board would then appoint a National Voluntary Credit Restraint Committee to implement it. Members of this Committee would consist of representatives of the lending groups participating in the program, with a member of the Federal Reserve Board serving as chairman. Its principal function would be to set the general direction of the program, to appoint regional subcommittees and to interpret the principles of the program and their application to particular areas.

The setting of loan priorities today is left in the hands of individual banks. Many of the banks are pursuing policies much in the public interest, but there is no definition of that interest even among themselves. Banks can and sometimes do establish priorities on a substantially different basis from what would be established by a nationwide voluntary credit restraint program; the main purpose of which would be the maintenance of growth of the economy in a noninflationary manner while meeting the requirements of the war in Vietnam—exactly the kind of program we have had before when we had a roughly similar situation, certainly as to the fiscal and monetary side—to wit, in the Korean war.

As the Senator from Tennessee [Mr. GORE] has said, interest rates have risen to their highest levels. They are absolutely unacceptable to the American people.

We are operating in an atmosphere of a major war with the Federal Government relying almost solely on monetary policy to contain inflation.

The burden cast upon monetary policy by fiscal inaction and such a large reliance on the weak "guideline" reed of wage-price restraint has brought distortions in the direction of investment. It has resulted in interest rate wars among the savings and lending institutions. It has affected borrowers unevenly. It has triggered a nervousness among the Government regulatory agencies charged with credit management, which has been evidenced by rate-ceiling actions, threats of actions, and a spate of semiofficial pronouncements adding to uncertainty.

Interest rates themselves have risen to the highest levels in a generation. The particularly sensitive rate on so-called "Federal funds" exchanged between member banks to adjust their reserve positions have recently traded at 5⅞ percent compared to 4 percent last September. The high cost of money for housing is shown by the rate on new FHA insured conventional mortgages which was 6.32 percent in June 1966, up from 5.45 percent as late as last fall. Other rates on Government securities, installment credit, and prime business loans have risen proportionately.

The inefficacy, or, one should say the unbalancing efficacy, of monetary measures is further attested by the lag in residential construction and the production of consumer items while business investment and, of course, Government defense spending have surged ahead. New residential investment has declined from 31.3 percent of total investment in 1964 to 26.4 percent in the second quarter of 1966. Nonresidential fixed investment now takes about 10.7 percent of gross national product, or about the same or slightly greater than during the capital goods boom of the midfifties, which was incidentally a precursor to the recession of 1957–58. It might be expected, moreover, that the previously cited defense buildup from an annual rate of $49 billion in the second quarter of 1965 to $57 billion in the same quarter of 1966, and an expected $65 billion by the second quarter of 1967, will tend to have a concentrated impact in some of the same industries—for example, machinery and aircraft products—that are also the major producers of business investment goods.

The administration has taken certain fiscal actions this year—much of this of a temporary character—which have had a certain restrictive or dampening effect on the economy. These included the Tax Adjustment Act of 1966—which restored certain excise taxes, speeded up corporate taxpayments and instituted graduated withholding of individual income taxes—and increased payments into Federal trust funds resulting from higher social security taxes and medicare. The overall economic impact of these measures could be estimated roughly at around $7 billion, about half accounted for by the temporary effects of the speed-up of corporate taxes. That these fiscal actions have been inadequate to deal with inflation is evidenced by the drastic rise in consumer and wholesale prices.

In periods such as the present, when private demand for goods and services plus Government demand for many of the same goods and services add up to a total greater than the capacity of the economy to produce, hard policy choices cannot be avoided. The administration has, nevertheless, tried to avoid these hard choices by resort to guideline appeals and by throwing the burden on the monetary authorities while adding, incidentally, to the burden in the monetary field by the sale of Government-owned mortgages in the open market.

In view of the clearly unequal and unbalancing effects of tight money already painfully evident, few persons are likely to urge today that the Federal Reserve authorities be left to carry on the fight against inflation by forcing further tightness and increases in the whole spectrum of borrowing and interest rates.

Friends and advocates of monetary policy as a stabilization tool should be the first to disavow its greater use under present circumstances. The very independence of the Federal Reserve System would most certainly be placed in jeopardy and longrun usefulness of alternate monetary restraint and ease as a control instrument permanently destroyed if the outcry against high interest rates is encouraged.

As to the voluntary wage-price guideline approach, its breakdown is all too clear. The airline wage negotiations and the steel price decision have further discredited the scheme if not administered a coup de grace. The Federal Government, the President, and the Council of Economic Advisers can hardly take pride in the hours when their leadership has meant "sitting in" as an involved third party at interest at major wage-bargaining tables or price-setting conferences. A policy based upon admonishing leaders of industry and labor to be "responsible" and "statesmanlike," even if successful, represents an undermining and distrust of the economizing and resource allocating virtues of the market enterprise system basic to the free political system.

The widely respected research department of the Federal Reserve Bank of St. Louis points out that the so-called high-employment budget designed to reflect the impact of the Government's operations on the economy has, since mid-1965, been at its most stimulative level since 1955. The high employment surplus, which tends to impose a fiscal drag on the private economy, has declined from a

$7.2 billion annual rate during the first half of 1965 to a $0.8 billion drag in the first half of 1966. On the basis of planned Government tax rates and expenditures for the last half of 1966, the full employment budget will in fact show a highly stimulative $4 billion deficit; that is, excess of Government payments over receipts, at a time when planned investment already tends to exceed planned saving.

Significantly, a statement released on August 8 by the Federal Reserve Bank of New York supports the conclusions of the Federal Reserve Bank of St. Louis. Summarizing the business outlook section of its "Monthly Review," the bank reports that current evidence indicates that American economy will expand at an even faster rate in the second half of this year, placing greater strains on an already inflated economy; that the rising consumer price index will rise even higher in the next 6 months as a result of continued pressure of overall demand and cost-push factors. Higher Federal salaries, the beginning of medicare payments, and capital spending by business and Government are cited by the bank as factors contributing to this situation.

No responsible leader would wish to propose the imposition of further restrictions on the American economy. But inflation is here and the administration's actions to date have not prevented its steady increase. The choice before us is to permit inflation to eat away at the gains of millions of low-income and fixed-income families or to take responsible action.

Further drift and delay can only result in the need for more drastic action: a resort to the wage and price controls practically no one desires; but we may even have to come to that.

The enactment of requisite legislation would involve extended debate and rightly so. I, therefore, propose that the President ask Congress this session to grant him standby authority for wage and price controls modeled after title IV of the Defense Production Act of 1950 which gave the President authority to maintain wage and price stability through voluntary action and, if that failed, through mandatory wage and price controls in areas of his own choosing. They put teeth in the guidelines which they do not have now.

I hope that such controls would never have to be imposed in the absence of a greater escalation of war spending than is now anticipated. I believe that the present inflation and the increased cost of the Vietnam war can still be met through voluntary credit restraint and an improved policy mix—a special Vietnam tax combined with greater monetary ease. But should the spreading war psychology—as evidenced by the airline machinists' strike, last week's steel price increase, higher milk and bread prices—get out of hand the President should have the means to deal with it. It is a responsibility Congress must share with the President by giving him the necessary emergency authority on a temporary basis.

There are some who propose that as part of any new tax measures, the Congress should suspend or repeal the investment tax credit of 1962 on the ground that capital investment is now at record levels and that the tax credit only stimulates further capital investment at a time when the economy is already experiencing a capital goods boom.

I do not agree with this view. This device has never been visualized as one for short-term stimulation or stabilization of investment. It is a device to stimulate modernization and expansion of industrial capacity over the long run to meet domestic growth needs and to maintain the strong competitive position of the United States. It will be recalled that when this tax credit was originally proposed, business opposed it on the grounds that it would not be a permanent feature of our tax code and that it would be vulnerable to frequent changes. Only after repeated assurances by Secretary of the Treasury Dillon that this was viewed by the administration as a permanent measure, did the business community change its views.

No one in the Congress who advocates suspension of the credit has denied that the credit must still be allowed with respect to machinery and equipment already on order. This would remove a large amount of current and future expenditures from the scope of suspension and thereby reduce its current economic and revenue effect. Furthermore, credit would also have to be allowed on equipment ordered during the suspension period, but scheduled to be installed after the suspension was to be lifted. This would also reduce the effectiveness of the suspension as a device to dampen capital investment.

In my opinion, investment demand could be influenced more effectively and immediately by corporate tax changes and by variations in individual income tax rates. In other words, just as the current high level of demand is the main reason for the high level of capital investment, the most effective way to dampen it would be to dampen overall demand through fiscal action.

There already has been much damage done by the administration's failure to move effectively to bring inflation under control at its early stages—6 or 7 months ago. A moderate and temporary income tax increase then could have stopped this inflation from gaining headway which could lead to a recession and serious unemployment. The longer the President delays action, the more drastic the solution will have to be.

But inflation can still be brought under control with moderate measures. The costs of the Vietnam war have not yet reached the proportions of the Korean conflict. But Vietnam costs are being imposed on a booming economy and it is from this combination—not Vietnam alone—that inflationary pressures arise.

The inflationary situation could worsen and Congress should now provide the President with the necessary authority to act effectively, and in time. The rest is up to the President and the administration, and they will delay—to await the November elections or for whatever reason—at their peril.

I hope very much that they do not do so. The warnings and notices are very clear. The effects are already being suffered. The remedies which I have suggested, and which are patterned clearly after the Korean war, are moderate and entirely within the compass and competence of both the President and the Congress.

Mr. GORE. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I am happy to yield to the Senator from Tennessee.

Mr. GORE. I wish to congratulate the Senator on approaching a serious problem with constructive suggestions. In my view, they merit the most careful consideration.

Since the Senator has called attention to the fact that earlier this year, in January, he called for action to be taken, he encourages me to remind him and the Senate that earlier this year I proposed a suspension of investment credit at the very first opportunity.

I would think that this would still be timely and very useful action, particularly since the current inflationary push is in plant and equipment.

Mr. JAVITS. I do not want to intrude on the time of the Senator from Nebraska, but will the Senator from Nebraska yield me 1 minute?

Mr. HRUSKA. Yes.

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

Mr. JAVITS. On the investment tax credit point, I am very worried about that for this reason: In fairness, that credit could not be taken off immediately. It would have to be phased out, because many people or corporations undertake capital investment on the expectation of an investment tax credit. So there would be lost the immediate impact of taking it off. What worries me is not that so much in itself as the fact that we would need measures of great immediacy. If they were not put into effect, they would not bring about the objectives that I have expressed as being desirable.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is concluded and the Senator from Nebraska [Mr. HRUSKA] is recognized.

Mr. JAVITS. May I thank the Senator from Nebraska for his unfailing courtesy.

Mr. HRUSKA. It was a pleasure to have the Senator from New York speak so meaningfully on so important a subject.

Mr. JAVITS. I thank the Senator from Nebraska.

Mr. HRUSKA. I extend that statement to the Senator from Tennessee [Mr. GORE] also.

FIREARMS LEGISLATION REQUIRES FAIRNESS, BALANCE, AND JUDGMENT, RATHER THAN EMOTION

Mr. HRUSKA. Mr. President, from time to time an event occurs which so stirs tht emotions of the Nation that it

results in an unreasoning but nonetheless understandable call for legislative action.

This appears to be the case in the senseless and shocking tragedy in Austin, Tex., on August 1. Stunned by the sudden and abhorrent nature of this bizarre event, there were urgent demands for prompt action on the pending firearms control bills now before the Congress.

Some of these demands came from the highest places in our Government and called for legislative action to "help prevent the wrong persons from obtaining firearms."

The Members of the Senate, no doubt, were as greatly shocked by the tragedy in Austin as anyone else and unquestionably there are among us those who would join in the call for prompt passage of pending firearms control legislation.

But the Senate, Mr. President, has a duty which it has fulfilled in countless past emotion-filled crises—a duty to act with deliberation and care. The wisdom of this policy has been proved repeatedly throughout the history of this body.

No one can contend that any of the pending bills would prevent the wrong person from obtaining firearms. No one that this Senator knows about contends that if the most extreme and comprehensive of the pending bills on this subject had been law at the time of the Austin tragedy, that such law would have had any effect, application, or impact under the circumstances which prevailed and immediately preceded on that lamented occasion.

But, it is said, legislation should be adopted so as to "help prevent the wrong persons from obtaining firearms," and to make firearms less readily available generally.

Both of these goals are commendable. It would be difficult, indeed, to quarrel with either of them as thus simply stated. But obviously not every measure which would operate or tend in their direction would be desirable or sound.

When a specific measure is considered, searching questions assert themselves at once, such as these:

How effective would such a measure be to achieve these two goals?

Has a necessity been shown for embracing the particular firearms affected by the bill?

What harmful interference will be imposed on "right" people, who put firearms to legal, proper, beneficial, and necessary uses?

Will such interference be totally out of proportion to the benefits claimed for such a measure in preventing "wrong" people from getting firearms, and to make such weapons less readily available?

Crimes committed with firearms are serious. They are a threat to society. No reasonable person can rightly disagree with the objective that firearms—or any other potential tool of the criminal—be kept away from criminal hands, insofar as is practicable and workable to do so.

But the basic question still remains as to how such objective can be reached or even approached without inflicting undue and harmful limitations on those who have rights and necessities to purchase, possess, and use firearms legally, legitimately, and beneficially.

BACKGROUND AND CONTEXT FOR CONSIDERATION OF FIREARMS LEGISLATION

Mr. President, there is far more to the efforts to legislate in this field than the declared objectives of the various pending bills indicate.

Each of these measures directs its impact to an area of American history, activity, and human conduct which is as far flung in our Republic as are the 50 States themselves. The factors involved are deep rooted.

They embrace customs and practices which were born of necessity in the beginnings of our country. They still exist in that context today, though some of the needs are different now than formerly.

But this can be said with confidence: taken in the entire context and on balance, the place and role of privately owned and used firearms are still beneficial, necessary and wholesome in this modern day. They should be protected.

This is true notwithstanding unlawful use of firearms when they get into the hands of the wrong persons—the lawless and the demented. Those instances, while deeply deplored and of grave concern, are relatively few. Efforts to deal with these few should be made to concentrate upon them, in order to be effective, and in order to prevent and avoid a harmful interference and encroachment on the vast preponderance of lawful and beneficial uses and purposes of firearms.

Mr. President, here are some of the many factors which present difficulties and obstacles to the development of fair, balanced, and effective legislative effort on this subject.

The first factor is the very large number of privately owned guns in the United States. While estimates run from 50 to 200 million, the estimate most often used is 100 million privately owned firearms within the United States. Of course, they are widely scattered throughout the 50 States.

The most commonly used total for active users of guns for lawful, proper, and beneficial purposes is 20 million.

Twenty million of our citizens are included in this category. In this figure are included about 15 million holders of paid hunting licenses; additional hunters legally enitled to hunt but without licenses such as landowners, persons over or under paid license age, veterans, and senior citizens. Members of organizations for skeet, rock, target and competitive shooting; gun collectors, and organizations of that type are also included. Not included are the millions of homes where firearms have a proper place, for self-protection.

With such a vast reservoir of available firearms, and the millions of active users in lawful fashion, it is imperative that a highly effective method of getting at the core of the problem must be devised. This necessity becomes even more urgent when we consider the statistics on unlawful use of firearms. They show the relatively small number of offenses committed with firearms. They also dramatically show the vast preponderance of lawful, legitimate use over unlawful use of the firearm.

The 1965 Federal Bureau of Investigation Uniform Crime Reports show that the number of serious crimes reported in the United States for that year came to a total of approximately 2,800,000.

In crimes of violence, statistics showing use of firearms in their commission are available in only three classes: willful killings, aggravated assaults, and robbery. The total of crimes of these 3 classes in 1965 was 335,000.

At that point it becomes very pertinent to inquire how many of those 335,000 crimes of violence were committed with firearms. The answer for the uninitiated is rather spectacular—only one in every four. Firearms were used in about 86,000 of this number. This means a 25-percent use of firearms in these crimes of violence.

Mr. President, I ask unanimous consent that a table on relationship of firearms to other weapons used in the commission of certain crimes of violence be printed at this point in the RECORD.

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

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

Relationship of firearms to other weapons used in the commission of certain crimes of violence, 1965

	Breakdown of various weapons used (percent)	Crimes in which firearms were used	Total crimes committed
Homicide			9,850
Firearms	57	5,634	
Knives or cutting instruments	23		
Personal weapon (hands, feet, etc.)	10		
Blunt objects	6		
Miscellaneous (unknown)	4		
Aggravated assault			206,661
Knives or cutting instruments	36		
Firearms	17	35,139	
Blunt objects	22		
Personal weapon (hands, feet, etc.)	25		
Miscellaneous			
Robbery			118,916
Armed with firearms	38	[1] 45,075	
Armed with other weapons	20		
Strong arm (muggings)	42		
Total		85,848	[1] 335,427

[1] Estimated by FBI.

Source: FBI Uniform Crime Reports, 1965, pp. 6, 7, 8, 10, 11, and supplemental letters from the Director of the FBI.

Mr. HRUSKA. Mr. President, from these figures it is clear that even complete abolition of firearms would still leave 75 percent or more of these types of crimes of violence. Undoubtedly it would be more than 75 percent because many of those who actually used firearms in their criminal acts would very likely have committed them with other types of weapons if no firearms had been available. It goes without saying that it is utterly impossible to think of taking all firearms from the American scene.

Everyone concedes this. No one has proposed it.

But consider these figures in another perspective: Here are 86,000 unlawful usages of all firearms as against the lawful, proper uses made by 20 million persons who use them actively, beneficially, and in many cases necessarily.

What a disparity we behold. It certainly dictates a stern necessity for the most discriminate use of statutory controls to avoid undue, unnecessary and unproductive interference and burdens on those vast numbers of law abiding citizens involved.

This is so not only on account of the vast disparity in numbers, but also because of the ineffectiveness of a bill like S. 1592 to make any progress against unlawful uses. There is no showing of persuasiveness that there is any probable relationship of meaningful degree between S. 1592-type bills and a reduction of the 86,000 unlawful usages of firearms.

It is imperative that action be taken—not on a broadside or in a blunderbuss fashion—but in a more selective and effective way to reach an identifiable source of trouble.

ANALYSIS OF WILLFUL KILLING STATISTICS

Mr. President, we should constantly inquire into the question of what impact any proposal for a law would have on unlawful use of firearms. Let us do this by analyzing the 9,850 willful killings reported for 1965 in a nation having a population of over 190 millions of persons.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a table which analyzes the breakdown of these willful killings to which I have just referred.

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

	Percent	Number
Killings within the family	31	3,053
Outside family unit, usually the result of altercations among acquaintances, in romantic triangles, lovers' quarrels, or drinking situations	48	4,728
(The 2 foregoing items, totaling 79 percent, are often referred to as crimes of passion.)		
Felony murders	16	1,576
Other, not identifiable	5	493
Total willful killings		9,850

Source: P. 6, FBI 1965 report.

Mr. HRUSKA. Briefly, Mr. President, that table shows that 31 percent of these willful killings were committed within a family. Such killings, in 1965, numbered some 3,000.

Outside of the family, but usually as the result of altercation among acquaintances in romantic triangles, lovers' quarrels, or drinking situations, almost half of the killings occurred—48 percent, to be exact, or about 4,700 of them.

These items shown in the table, the killings within the family and those among close acquaintances and so on, together constitute 79 percent of the total. They are often referred to as "crimes of passion." I shall refer to them in a moment.

Of the 9,850 willful killings in America in 1965, felonious murder constituted only 16 percent, Mr. President, or less than 1,600 cases. Others, not identifiable, amounted to 5 percent, or approximately 500.

Mr. President, this question is pertinent: what impact would be made by a law prohibiting all mail order sales of all firearms in the light of these figures, as was proposed in S. 1592 when it was originally introduced?

It is submitted that such a law would have little or no effect on the 79 percent, or 7,781 willful killings in items 1 and 2—referred to as crimes of passion. The circumstances under which most of them are committed would indicate this. After all, most of them are usually committed in or near the home. With outstanding private ownerships at 100 million or more in America, the availability of weapons at the time and scene of the crime is formidable and it has already been achieved. So we can divorce that virtually completely from any commerce by mail order sales.

But none of the pending bills applies to the firearms so available.

The significant figure from the above table is the 16 percent of felony murders—about 1,600 of them—which were committed with firearms. Even if the additional "Other—not identifiable" 5 percent or 493 were added, the total would be about 2,000 felony murders where firearms are used. We can apply our own sense of judgment as to the impact of any of the proposed bills on this figure of 2,000. We can state for a certainty that only a part thereof might possibly be effected. We can say this because of the vast reservoir of 100 million firearms owned in America plus the availability of additional guns through the many avenues not covered by any bill.

Superimposed on this is the thought of 20 million active users of firearms in America who put them to lawful, proper, and beneficial purposes and uses. As regrettable as the 2,000 cases—less those which would not be affected by the proposed law—may be—and no one is more concerned about that figure than I—it is difficult to equate such a statistic with 20 million lawful users. Particularly when there is available a substitute measure which is designed to "zero in" on the core of the problem, instead of a broad, encompassing approach such as that which is contained in the S. 1592 type bill.

S. 1592 AS INTRODUCED AND ITS PROPOSED REVISION

As introduced, S. 1592—known as the administration bill, Mr. President, and introduced by the senior Senator from Connecticut [Mr. DODD]—proposed to amend the Federal Firearms Act (52 Stat. 1250), which was enacted into law in 1938. The principal thrusts of this bill as introduced are suggested in these points:

First. Prohibit all interstate mail-order sales of handguns—pistols and revolvers—and of long guns—rifles and shotguns of conventional length.

I might say that the sawed-off shotguns and sawed-off rifles are treated in another law, which is known as the National Firearms Act, and which was enacted in 1934.

Second. Place heavy limitation on all imported firearms and total embargoes in some cases; vesting in the Secretary of Treasury excessively broad discretionary powers in that regard.

Third. Prohibit sales of handguns to nonresidents of the State in which such sale occurs.

Fourth. Increase license fees to levels which in effect would be prohibitive in many cases, especially for dealers.

Fifth. A vesting in the Secretary of Treasury of excessive, discretionary powers to grant, refuse, or revoke licenses for all manufacturers, importers, and dealers of firearms.

Sixth. Placing on manufacturers, importers, and dealers in firearms undue, unnecessary, and burdensome requirements, expense, and risks in doing business; accompanied by severe Federal felony penalties for violation.

Seventh. Individuals are similarly and unnecessarily made subject to greater expense, costs, inconvenience, and undue restrictions and limitations in buying and selling firearms.

Recent discussion and general views held among some principal advocates of S. 1592 have led them to conclude that the original version did go too far, and that it should be revised. Changes have been proposed. They include:

First. Mail-order sales prohibition would apply to handguns only.

Second. Rifles and shotguns of conventional lengths could be bought by mail order, subject to presale notice control procedure and a waiting period for delivery.

Third. License fees for dealers would be sharply reduced from the original amount provided.

Fourth. A "liberalization" of restrictions on imports would be provided. I place the word "liberalization" in quotation marks because there is grave doubt in my mind that there is any substantial change in that regard.

Fifth. Elimination of "ammunition" for handguns and long guns; plus some other changes and revisions.

These suggested changes, however, have been referred to as "perfecting modifications" which "do not affect the basic purposes of the bill." This would seem to indicate that even those who propose them consider them to be of little meaning to change the impact of the originally introduced bill.

WIDE AND VIGOROUS OPPOSITION TO S. 1592

This bill from the time of its proposal has been the subject of concern and criticism by a large part of our citizenry. Since the beginning of our Republic, the United States has looked upon and regarded the right to legitimate and lawful ownership and use of firearms with great favor. In fact, it is a right which has been jealously guarded, and properly so. The millions of our people who use guns properly and beneficially are thoughtful and loyal to the well-being of their country. They are as concerned about crime and the unlawful use of firearms as anyone. In fact, they do

more in the cause of preventing unlawful uses than a great many people who do a lot of talking on the subject but who do not get involved in concrete action. It is this Senator's belief that they will support any reasonable legislation which will effectively and workably make a meaningful contribution toward keeping firearms out of the hands of the wrong people.

But they are entitled to assurance that any such measure will have relevance to that objective, without at the same time unduly and unnecessarily impinging upon the lawful activities and freedoms of those who lawfully use guns. The millions of these lawful users will resent and resist being unjustifiably and unfairly equated with the relatively small percentage of those, the criminals and demented, who put firearms to unlawful and criminal uses.

S. 1592, whether as originally introduced or with the changes suggested, is unwise and unsound legislation. It is objectionable and harmful.

It is needlessly broad in its scope and provisions.

It seeks to proceed without due regard for the plain fact that millions of owners of tens of millions of firearms, in overwhelming proportion and except for a very small percentage or number of instances, use their guns in lawful, legitimate and highly beneficial fashion.

The bill would have no appreciable effect in preventing the wrong persons from obtaining firearms; nor in reducing their ready availability to those who would seek to use them unlawfully.

It would severely disrupt the very substantial, desirable, legitimate commerce in firearms.

It would inflict hardship, needless and unwarranted requirements, burdens, restrictions, and additional expense upon the manufacture and sale of firearms. The economy built around their sale and use would be adversely affected. The owners and buyers would also be unnecessarily burdened and inconvenienced. Their costs to buy, own and use firearms would be increased.

In several respects, the bill goes beyond the Judiciary Committee jurisdiction, expertise and competence; and notably when it ventures into the field of imports, in licensing, and amendments or supplements to the National Firearms Act. That act, known as the "machinegun" law, is the subject of a bill—S. 1591—which has been referred to the Senate Finance Committee; and my recollection is that it has been there since a year ago March. It is properly there because it contains tax provisions, and amends provisions of the Internal Revenue Code of 1954, and for other reasons.

S. 1592 would vest vast and arbitrary discretionary powers in the Secretary of Treasury to make regulations and prescribe policies, many of which are of such nature and scope as make of them legislative activity, rather than executive or administrative. To follow through in some of them in a meaningful way would require a large army of Federal enforcement personnel at very high cost.

Mr. President, on March 15 of this year I addressed the Senate in extended comment and analysis of the several pending bills concerning firearms. At that time, I stated several basic reasons for my opposition to S. 1592.

Mr. President, I ask unanimous consent that pertinent excerpts therefrom be printed in the RECORD at this point in my remarks.

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

First. The bill includes rifles and shotguns as well as handguns. But it is the concealable handgun which is the primary tool of the criminal who uses a firearm in the commitment of a crime. If any legislation whatsoever is enacted, it should be limited to the handgun.

Second. The bill includes "destructive devices." These items should be treated separately in the National Firearms Act of 1934—as proposed in S. 1591.

I do not believe there will be too much difference of opinion in the committee or in the Senate. It is a matter of technical approach to securing an amendment to another act and that is dealt with in S. 1591.

Third. The bill proposes a total ban on interstate mail-order sales to individuals. Apparently it would not apply to intrastate sales. If intrastate sales are allowed, the effect of the ban would only be to redirect mail-order sales through outlets in each State. Large mail-order retailers such as Sears and Montgomery Ward's would have little difficulty adjusting, but hundreds of small businesses would be put out of business.

However, there may not be a meaningful distinction between "inter" and "intra" in this situation, depending on the way courts would interpret the bill. If there is a total ban on all mail-order sales, it would single out for elimination only one channel of the commerce in firearms while leaving other channels intact. For example, one would still be able to buy over the counter or from an individual as in the classified ads of the Washington Post, or any other of the Nation's newspapers. Thus, many avenues of access would be available to the potential criminal who desires to obtain firearms. If any legislation whatsoever is enacted it should impose reasonable controls on mail-order sales of handguns only, but should not eliminate them altogether.

Fourth. A ban on imports is proposed, save for minor exceptions. Imports have been characterized as military surplus "junk," flooding the market by the millions.

However, the actual import figures for 1963 and 1964 are less than half those claimed by some advocates of S. 1592. Most important is the fact that imports are not evil per se because they are foreign made or are cheap in some cases. A total ban on imports would be protectionist help to domestic manufacturers to eliminate major competition. Domestic firearms, new and used, come in just as wide a variety of size, kind, and prices as do imports. It may be that junk or unsafe weapons should not get into the hands of the sporting public. But to reach this situation, consideration should be given to establishing qualitative standards for all firearms—imports as well as those of domestic manufacture. This, S. 1592 fails to do.

Fifth. License fees for manufacturers, importers and dealers would be drastically increased. Most noxious is the $100 fee for dealers. This would eliminate thousands of small dealers such as country stores, gas stations, and other places of small merchandizing, which carry small inventories of firearms and ammunition as a convenience for their customers. A modest increase might be all right, but not those originally proposed in S. 1592.

Sixth. Licensing requirements would be severely tightened. The Secretary of the Treasury would be given broad discretion to issue or deny licenses for such things as the applicant is not "likely" to conduct his business in accordance with the act. Such unlimited discretion without standards or guidelines is objectionable.

Seventh. The bill is repugnant to the letter and intent of the second amendment to the Constitution.

Eighth. Much is being done and more can be done to enforce existing law without resorting to the drastic and objectionable provisions contained in S. 1592.

Mr. HRUSKA. Notwithstanding modifications proposed by advocates of S. 1592, the reasons stated last March by me and as just inserted in the RECORD are still largely applicable.

SUMMARY

Among the changes proposed in S. 1592 is one providing that it may be cited as the "State Firearms Control Assistance Amendments of 1966." The emphasis would seem to be on "assistance" to the States in asserting and enforcing such control over firearms as they may wish to provide.

But after taking unto itself the title as stated, the bill at once moves grandly into a virtual preemption of the entire field. It really seeks to take over.

This approach is much too comprehensive and encompassing for the need which can be demonstrated for national legislation in this field. Hence, it is offensive to the millions of legitimate gun owners who put firearms to proper and beneficial uses and purposes.

A CONSTRUCTIVE ACCEPTABLE ALTERNATIVE MEASURE

What is needed, instead, is a measure which would truly and effectively enable the States to control the handgun pursuant to their respective laws.

Reasons will be set out in detail later in my remarks to show clearly that the real offender in the unlawful and improper use of firearms is the handgun. That is to say, the revolver and pistol—a gun designed to be fired by the use of a single hand.

Last March, in speaking in the Senate on this same subject, I declared my approval of the approach provided in a bill introduced by the senior Senator from Iowa [Mr. HICKENLOOPER]. It is S. 1965, which applies only to handguns. But my approval of the bill was subject to several amendments which I felt would strengthen it.

I believe that before it reaches its final form, there may be other amendments that will be offered for the purpose of giving it greater but more selective thrust than S. 1592 or the original bill that was introduced by the senior Senator from Iowa. The senior Senator from Iowa is cooperating in these efforts, and those of us who hold this point of view on the subject are grateful for his leadership in this particular.

The position I expressed last March is still my position. In due time it is the intention of this Senator to propose such a measure for the consideration of the Judiciary Committee and of the Senate. Its principal provisions would include:

First. No carrier in interstate or foreign commerce may deliver any handgun to any person under 21 years of age.

Second. No manufacturer or dealer may ship any handgun in interstate or foreign commerce to any person, except a licensed manufacturer or dealer, unless that person submits to the shipper a sworn statement that the prospective recipient, first, is at least 21 years of age; and second, is not a person prohibited by Federal, State, or local law from receiving or possessing the firearm.

In addition, the statement must contain the title, true name, and address of the principal law enforcement officer of the locality to which the handgun will be shipped.

Third. Prior to shipment, the manufacturer or dealer must forward the sworn statement by registered or certified mail—return receipt requested—to the local law enforcement officer named in the statement containing a full description—not including serial number—of the firearms to be shipped, and must receive a return receipt evidencing delivery of the letter, or evidence that such letter has been returned to the shipper because of the refusal of the local law enforcement officer to accept it, all in accordance with Post Office Department regulations. The dealer must wait for 7 days after receiving receipt or notice, before making delivery of the gun.

Fourth. The same type of notice and waiting period will apply to over-the-counter sales by a licensed dealer when the buyer is a nonresident of the State in which the counter is located.

Fifth. Appropriate criminal penalties would be provided for any person knowingly making a false statement in connection with the submission of the affidavit required for mail order purchase of the handgun.

Sixth. No manufacturer or dealer may deliver any package containing a firearm to any carrier for transportation or shipment in commerce without prior written notice to the carrier.

Seventh. It would be a violation of the act for a federally licensed dealer or manufacturer to ship a firearm to a purchaser in violation of any State firearms control act.

Eighth. It would be made unlawful for a person to transport or receive in the State of his residence, a firearm purchased or otherwise obtained by him outside the State of his residence, if it would be unlawful for him to purchase or possess such firearm in the State or political subdivision where he resides.

Ninth. A person must be at least 21 years of age to obtain a Federal firearms license—that is, a dealer's license.

Tenth. The present $1 dealer license fee would be increased to $25 for the first year and $10 for subsequent years. The larger initial fee would be applied to the cost of processing the initial application and necessary investigation by the Treasury Department to whom the application for license is addressed. The fee for manufacturers and for pawnbrokers would be $50 per annum.

Eleventh. Ammunition, ammunition components, and minor parts of the firearm—such as springs, barrels, sights and accessories—are removed from the application of the Federal Firearms Act.

TRUE ASSISTANCE TO THE STATES

Mr. President, such a measure would give each State's law enforcement officers positive and timely notice of a contemplated sale and delivery of handguns. They could then take such action as would be indicated.

Thus the States would truly and effectively receive "assistance" in enforcing the State firearms control laws.

In my judgment, such a bill would make a constructive and substantial contribution to the solution of what appears to be the significant problems in the firearms commerce in this country; namely, the purchase of handguns by mail order—or over the counter in the case of nonresidents—in circumvention or violation of the State law which should prevail.

Such a bill would operate effectively without harsh impact and without unwarranted restrictions and requirements which would be visited otherwise upon those persons who own and use firearms in a lawful manner.

THE HANDGUN IS THE REAL OFFENDER

By its very nature, the handgun is the most troublesome and difficult factor in unlawfully used firearms. Its size, weight, and compactness make it easy to carry, to conceal, to store, to transport, or dispose of. All these features and others make it a very effective weapon in commission of crimes and violence. It is difficult to observe, control, and to police.

Its status as the most formidable and most frequently used tool of the criminal is well recognized and established by first, the existence in many States of laws controlling the handgun; and second, by statistics on its unlawful and criminal use in crimes of violence.

STATE CONTROLS OF HANDGUNS

These controls are of two classes—the positive and the negative.

As to the States with positive gun controls:

Twenty-three States require a license to sell at retail.

Twenty-nine States require a license to carry a handgun on or about the person.

Eight States require a permit or its equivalent to purchase a handgun.

Ten States prescribe a waiting period between purchase and delivery of a handgun.

Eighteen States require a license to carry a handgun in a vehicle.

As to States with negative controls:

Twenty-one States prohibit the carrying of a handgun concealed on the person.

Four States require registration of handguns.

Twenty-two States prohibit carrying a loaded handgun—and in some instances other firearms—in a vehicle.

In addition, many municipalities have ordinances of various kinds on this subject.

Of course, here we get into the matter of assisting the States. The States are the best judges of those conditions that they wish to impose on people within their borders in connection with the use of handguns.

STATISTICS ON FIREARMS USED IN CRIMES

There is a second reason why we can readily perceive the handgun as the offender, and that is by a review of the statistics on firearms used in crimes.

The 1965 FBI uniform crime reports at page 6, state that 57 percent of the willful killings during that year were committed with firearms. This means a total of 5,634 willful killings with firearms out of a total of 9,850.

In a letter dated July 27, 1966, addressed to this Senator, Director J. Edgar Hoover of the FBI wrote:

> Based on the submission of police reports under the uniform crime reporting program, 70 percent of the murder by gun in this country is committed with a handgun, 20 percent by the use of a shotgun and 10 percent with a rifle or other firearm. This will supplement the data available to you in uniform crime reports—1965.

In table form, this would appear as follows:

1965 willful killings reported as committed with firearms	5,634
Of the above number:	
Handguns were used in 70 percent of the cases	3,944
Shotguns were used in 20 percent of the cases	1,127
Rifles were used in 10 percent of the cases	563

The table would indicate that of the total number of these murders reported as committed with firearms, handguns were used in 70 percent of the cases.

As to aggravated assaults, approximately 17 percent of the total were committed with firearms, according to page 8 of the reports. Mr. Hoover has advised, however:

> There is no available breakdown of the type of firearm used in these attacks.

But the mere fact that the percentage is so low out of a total 206,600 of aggravated assault cases is significant.

I submit that the figure is low when it is only 17 percent.

The third category of crimes is violence for which we have statistics in this regard is that of robbery.

In 1965 there were 118,900 robberies, see page 10 of the reports. In this regard Director Hoover stated:

> Although we do not make a regular collection of the type of weapon used in armed robbery, from special surveys we have in the past determined about two-thirds are firearms and most of these the handgun.

Thus, we can reasonably estimate that about 38 percent of the robberies were committed with firearms, and most of these were handguns. I wish to quote the last five words: "Most of these were handguns."

From these statistics as well as the treatment accorded handguns by State and city statutes and ordinances, it is quite clear that the principal offender in the unlawful use of firearms is the handgun. Hence, it is entirely in order that the legislation which we are currently considering concentrate on this type of weapon.

Mr. President, I ask unanimous consent that the two letters addressed to this Senator by Director J. Edgar Hoover

of the Federal Bureau of Investigation bearing dates of July 27, 1966 and July 29, 1966 be printed at the conclusion of my remarks.

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

(See exhibits 1 and 2.)

Mr. HRUSKA. Now, I should like to deal with two major provisions of S. 1592. One has to do with destructive devices and the other with imports, both of which are treated specially within the text of S. 1592 and, in my opinion, unwisely and improperly.

DESTRUCTIVE DEVICES

There are several destructive devices which need legislative attention. These include bazookas, mortars, grenades, mines, bombs, missiles, field artillery, certain rockets and projectiles, and the like.

These devices are not a significant factor in the commission of crime, except for a handful of well-publicized cases.

However, they have no legitimate sporting purposes or uses. The pending bills seek to amend the Federal Firearms Act of 1938, as amended, which regulates firearms for sporting purposes. Hence, it is not the act in which provision should be made to control destructive devices.

The National Firearms Act of 1934 is the proper place for such controlling statutory provisions. This act now provides for registration of machineguns, sawed-off rifles and shotguns, and other gangster-type weapons. It provides for heavy transfer tax on sales thereof.

Proper provision to include destructive devices can be readily and effectively achieved by amending the definition of the National Firearms Act to include these items.

In due time, I shall formulate, draft, and introduce in the Senate a bill with that specific purpose in mind and having that mission.

The bill already referred to, S. 1591, is pending in the Finance Committee. It is suggested that its early consideration and report to the Senate is in order.

IMPORTS

The bill which this Senator will propose does not contain provision on imports. This is in direct contrast with the embargo and heavy type restriction approach of S. 1592.

First, it should be clear that imports in themselves are not inherently and necessarily evil, merely because of their origin or, in some cases, because of their relatively low prices.

If it is desired to exclude or restrict them because they are dangerous or unsafe, then all firearms having such undesirable features should be regulated, whether imported or whether made in the United States.

In any event, legislation of this kind involves questions of import and tariff policy. They should not be dealt with in a bill which seeks to amend the Federal Firearms Act which regulates sporting firearms.

The proper jurisdiction for import and tariff is found in the Committee on Finance.

EXHIBIT 1

FEDERAL BUREAU OF INVESTIGATION,
U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., July 27, 1966.

Hon. ROMAN L. HRUSKA,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR: This is in response to a telephonic request from your office on July 26, 1966, for information concerning the use of firearms in murder.

Based on the submission of police reports under the Uniform Crime Reporting Program, 70 percent of the murder by gun in this country is committed with a handgun, 20 percent by the use of a shotgun and 10 percent with a rifle or other firearm. This will supplement the data available to you in Uniform Crime Reports—1965.

Sincerely yours,

J. EDGAR HOOVER.

EXHIBIT 2

FEDERAL BUREAU OF INVESTIGATION,
U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., July 29, 1966.

Hon. ROMAN L. HRUSKA,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR: This is to confirm information furnished telephonically to Mr. Richard Velde of your office on July 28, 1966.

A breakdown of weapons used in aggravated assault appears on page 8 of Uniform Crime Reports—1965. There is no available breakdown of the type of firearm used in these attacks. An analysis of robbery, armed and unarmed, appears on page 11. Although we do not make a regular collection of the type of weapon used in armed robbery, from special surveys we have in the past determined about two-thirds are firearms and most of these the handgun.

During 1965, 70 percent of the firearms used in felony murders were handguns, 21 percent shotguns and 9 percent rifles. Additional information on felony murders appears on page 7 of Uniform Crime Reports—1965. You may also find pertinent a discussion of weapons used in police killings 1960–1965 which appears on page 35 of the above publication.

Sincerely yours,

J. EDGAR HOOVER.

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

Mr. HRUSKA. I yield to the Senator from Wyoming.

Mr. SIMPSON. Mr. President, I believe I understand correctly that the distinguished Senator from Nebraska is celebrating his birthday on this occasion. I felicitate him on this notable event and congratulate him on his 39th birthday.

Mr. HRUSKA. I am very grateful for the felicitations, as well as for the demotion in age.

Mr. SIMPSON. Mr. President, I compliment the Senator from Nebraska for a truly outstanding speech concerning firearms legislation and in its consideration, the need for fairness, balance, and judgment rather than emotion. For several years, proposed gun legislation has been thrown before the Senate. Yet, we have heard only a few rational and well-reasoned speeches on the matter. The Senator from Nebraska has distinguished himself in the research, the study, and the presentation that he has made today.

My senior colleague from Wyoming [Mr. MCGEE] made a speech the other day on the same subject. I associate myself with what has been said.

The senior Senator from Wyoming said that firearms do not kill people, but that people kill people.

It is truly regrettable that leaders in high position of Government would take advantage of tragedies, such as the Austin University killings and the killings of the Chicago nurses, to create an emotional climate that would bring favor to a particular position that they support.

We must recall that no guns were used in the recent Chicago killings. The killings were by knife and strangulation.

I have read the able and distinguished speech of the Senator on this matter. I am sure that the Senator will agree with me that we do not want to inhibit the constitutional privileges of our citizens to keep and to bear arms.

In Senator HRUSKA's delivery today he has pointed out that the primary motivation for seeking legislation that would control the sale and disbursement of firearms is the desire to curb the criminal element; therefore, our legislation should be aimed at the criminal in our society and not the law-abiding citizen.

After considering the analysis of willful killings as presented by Senator HRUSKA, it would appear to me as if it were impossible to pass any legislation that would cause a severe reduction in willful killings; consequently, we must be very careful in our deliberations and pass no law which would infringe upon the American people's constitutional right to keep and bear arms. I have pledged, as I am sure many others in the Senate have pledged, to oppose any legislation that would minimize this right. No one denies that a very serious problem exists in the Nation's larger cities because of the criminal misuse of firearms, but this problem cannot be handled by penalizing law-abiding citizens.

In Wyoming and the West, gun ownership is a common thing. Our ranchers and our farmers, our hunters and sportsmen need the gun and they must have a convenient way for ordering and servicing these guns by mail. The bill proposed by Senator DODD and others would definitely inconvenience our Wyoming citizens and be a substantial detriment to the training of young men and women in the proper use of firearms. Senator HRUSKA today has suggested legislation that he will be introducing shortly. I am impressed with the guidelines he set forth and am eager to study his proposal in more detail.

I know of no one who opposes the responsible efforts to curtail illegal and unwarranted traffic in the sale of guns. However, legislation to control that traffic must be on a selective and reasonable basis. I am grateful to the Senator from Nebraska for the time he has taken in preparing this excellent statement and presenting it to the Senate. It is indeed encouraging to have light thrown on the subject matter.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Anti-gun Outcries, Again," published in the

Wyoming State Tribune of August 2, 1966.

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

ANTIGUN OUTCRIES, AGAIN

As in the assassination of President Kennedy, the Austin sniper case has triggered loud demands in Congress for tighter gun control laws.

Today, Sen. THOMAS J. DODD, chairman of the Senate Juvenile Delinquency Committee and a man who commands his share of the headlines in his own right, says "the incident in Austin, is an extreme example of what has been going on for much too long in this country. Rifles are used to murder and wound tens of thousands of people annually."

A Senator from Texas, RALPH YARBOROUGH, who lives in Austin, says the sniper tragedy "must lead to some thought of the promiscuous handling of dangerous arms and our national handling of homicide in the entertainment media." Television overstresses killing, YARBOROUGH suggests.

These represent over-simplified approaches and extremely naive solutions, however. The Austin sniper incident is no more average than the assassination of President Kennedy. There has been no similar mass murder incident since Howard Unruh, a quiet, Bible-reading veteran of World War II, went beserk and shot and killed 13 persons on a downtown Camden, N.J., street on Sept. 6, 1949. It has been nearly 17 years since the Unruh killings.

There is considerable evidence to suggest that Charles J. Whitman, the Austin sniper, was deranged; in fact there seems no other explanation of his actions. If Whitman had not been able to discharge his murderous frenzy in firearms, he might have used some other device that conceivably would have been more lethal than the rifles and pistol he lugged up to the University of Texas tower.

In each of the three cases cited here—Unruh, Lee Harvey Oswald and Whitman—mental illness quite clearly was the basis of these violent onslaughts.

The anti-gun proponents say, yes, but if they hadn't been able to get possession of the rifles, these things might never have happened. But how is the government to effect a workable gun control without totally banning sale of firearms to every person in this land? Or their manufacture?

A partial gun law won't do any good, because who is to know when and where an individual may lose control of himself and his senses?

Here is Whitman, an altar boy, Boy Scout, a former Marine with an outstanding record; by every indication a young man with a commendable background. And Unruh, the Bible-reading veteran, a quiet man.

Oswald admittedly was a bit different; for one thing he had forsaken his country, which Whitman and Unruh certainly had not done, and had gone to the Soviet Union; and he had been returned to this country under the auspices of the same government he foreswore.

How would any of these people have been denied access to firearms except by making possession of any firearms prohibitory? This would require the outlawry of all sale of guns for sports or any other purposes to civilians in this country.

However, yesterday, while Charles Whitman was engaged in his murderous rampage in Austin, a young man named Richard Speck was appearing in court in Chicago for his arraignment on charges of murdering eight student nurses. Evidence indicates all eight nurses were slain with a knife.

The gun control experts who rush in in the wake of such things as the Austin slaughter often do so heedlessly and without regard for a calm study of all of the aspects involved. Perhaps it is wrong that Americans have unlimited access to firearms; but tell that to some boy serving in the armed forces in Viet Nam. He has seen too many of his buddies display an adeptness with small arms that has derived from perhaps youthful familiarization with a shotgun or rifle, or even a pistol.

The controlling factor in all of these cases cited above—Unruh, Lee Harvey Oswald, and Charles Whitman—obviously involved forms of mental illness. It is in this area that preventive action must be taken through more extensive mental health programs in this country; not by drying up the gun supply, which is hardly practicable, nor even probable.

Mr. SIMPSON. Mr. President, I call attention to a portion of the editorial which reads:

However, yesterday, while Charles Whitman was engaged in his murderous rampage in Austin, a young man named Richard Speck was appearing in court in Chicago for his arraignment on charges of murdering eight student nurses. Evidence indicates all eight nurses were slain with a knife.

The gun control experts who rush in in the wake of such things as the Austin slaughter often do so heedlessly and without regard for a calm study of all of the aspects involved. Perhaps it is wrong that Americans have unlimited access to firearms; but tell that to some boy serving in the armed forces in Viet Nam. He has seen too many of his buddies display an adeptness with small arms that has derived from perhaps youthful familiarization with a shotgun or rifle, or even a pistol.

Mr. President, the distinguished Senator from Nebraska is entitled to the great thanks of the Senate and of the Nation on the excellent research he has done on this very important subject. I congratulate him on his speech.

Mr. HRUSKA. Mr. President, I thank the Senator from Wyoming for his remarks. If anyone should know of the place of firearms in private ownership and the enjoyment of their uses for lawful and, in many cases in his State, for necessary purposes, it would be the Senator from Wyoming.

Wyoming is a State which is still wide open and rugged in many areas.

An inhibition of mail-order sales would be felt with tremendous impact in Wyoming.

I am grateful to the Senator for his support of the viewpoint which this Senator is trying to interpret.

Mr. JORDAN of Idaho. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. JORDAN of Idaho. Mr. President, I wish to commend the able Senator from Nebraska [Mr. HRUSKA] for a timely and well-reasoned statement on a very important issue that faces the Senate and the Nation today.

Mr. President, the mail that I have received on this subject, I think, is greater in volume than that which I have received on any other subject.

I should like to ask the distinguished Senator from Nebraska if that is not true in his case. Does not his mail from Nebraska indicate a continued and substantial increase?

Mr. HRUSKA. It does, indeed. I am sure that is the experience of most Senators from our part of the country.

Mr. JORDAN of Idaho. I am sure it it is. Is it not also true in the Senator's case, as it is in mine, that this mail does not come from the so-called gun lobby, but comes from the individual citizens in our State who were raised as westerners and appreciate and own and know how to handle guns?

Mr. HRUSKA. In answer to the question of the Senator from Idaho, I would say that there is a "gun lobby," a "gun lobby" which consists of some 15 million licensed hunters in this country and perhaps millions of others who are vitally interested in pending firearms legislation. I do not recall offhand how many licensed hunters there are in Nebraska. I will get that figure and supply it for the RECORD—but I imagine it amounts to several hundred thousand in the State of Idaho and other States. I know that in the State of Michigan approximately 1 million hunters' licenses have been issued.

Mr. JORDAN of Idaho. Yes.

Mr. HRUSKA. It is these people who not only know how to use guns, but also inculcate the youthful and older citizens on how to use these weapons for proper purposes. They are the "gun lobby," and I am as proud to represent the tens of millions of lawful gun owners as anyone in the Senate representing any group of any kind.

Mr. JORDAN of Idaho. That is precisely the situation which obtains in my State.

DO THE STATES WANT S. 1592?

Mr. President, the title of the amended S. 1592 is "State Firearms Control Assistance Amendments of 1966." This title implies Federal aid to, and operation in, the field of intrastate commerce to aid the States in making more effective firearms controls both within the boundaries of the individual States and with respect to the firearms traffic from State to State.

The question may be legitimately posed, Do the States want this kind of help? Apparently, many do not as indicated by resolutions adopted by 14 State legislatures and by letters by the Governors of 2 States.

In a letter dated March 24, 1966, to a distinguished colleague, Senator MORSE, Governor Hatfield, of Oregon, had this, among other things, to say about S. 1592:

Specifically, the so-called Dodd bill, S. 1592, even though it has been amended as a result of hearings during the 1st session of the 89th Congress, is still repugnant to most citizens, and certainly so to overwhelming numbers of American sportsmen, gun collectors, and other legitimate owners or users of sporting arms. Moreover, enactment of the provisions of this bill would impose unnecessarily severe hardships on countless small firearms dealers in Oregon and elsewhere. Additionally, vagueness of the terms of S. 1592 would result in a conveyance of arbitrary powers to a Federal agency which might serve to contravene effective state regulations in this area.

There are many other objections to this bill, as may be seen through a review of the hearing records.

The Governor of the State of Idaho, Robert E. Smylie, in a letter to me of May 20, 1966, made several significant

observations on S. 1592. The Governor stated:

Any action now taken could and should be based on calm, thoughtful reasoning and judgment rather than to be conceived in hysteria and founded on emotion.

He soundly counsels that—

It would be quite unrealistic and foolhardy to believe that a man bent upon assassinating the President could be effectively deterred by any statutes regulating or prohibiting the purchase and possession of lethal weapons.

To support this position, the Governor cites Mr. Justice Douglas:

Fear of assassination often produces restraints compatible with dictatorship, not democracy.

Governor Smylie further commented on S. 1592 as follows:

Even though S. 1592 (Dodd bill) has been amended following hearings being held during the 1st session of the 89th Congress, it still retains many features that are objectionable to westerners and particularly so as to Idaho's share of the more than 14 million law abiding citizens of the Nation who purchase hunting licenses each year, plus those people who use guns for other hobby and recreational purposes. The additional fact that provisions of this bill would place unnecessary bookkeeping and administrative burdens on small firearms dealers is also a matter warranting consideration.

Mr. President, I think it noteworthy that the highly regarded Michigan Bar Association adopted a resolution opposing several of the restricted provisions of S. 1592. This resolution states in part:

It is the view of the State Bar of Michigan that any law restricting rights granted under the second amendment is not a function of Congress but that any necessary regulation should be made by State statute under the police power which rests in the State and not in the Federal Government.

During 1965, the legislatures of no less than 14 States went on record by adopting resolutions or memorials opposing S. 1592. These States are: Alabama, Arizona, Arkansas, Louisiana, Michigan, Nebraska, New Hampshire, New Mexico, Ohio, Oklahoma, Texas, Vermont, Washington, and Wisconsin. These expressions of State legislative opinion clearly and unequivocally indicate that S. 1592 is not wanted by the States and is neither necessary nor justified.

Mr. President, I am sure that what has been said reflects the opinion of public and private groups and individuals in many other parts of the Nation. I commend these sentiments to this body for its consideration and evaluation.

Mr. SALTONSTALL. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I am happy to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I commend the Senator from Nebraska for the thoroughness which he has gone into his presentation on this subject.

As one who was in the district attorney's office in Massachusetts for a period of time, helping the district attorney on these matters, I know that all crimes of violence committed, certainly at that time, were committed with handguns and not with other kinds of firearms.

It is my understanding that the Senator from Nebraska directed his remarks toward handguns, and believes that if the handgun or pistol is taken care of adequately by proper laws regarding licensing in a State, and in interstate commerce, that fundamentally the problem of violence with firearms will be very much on its way to a solution; is that not correct?

Mr. HRUSKA. The Senator is correct in his understanding. The measure which will, in due time, be submitted to the Committee on the Judiciary, and then to the Senate, will be drawn along those lines. It will also be in line with particulars which I have indicated in the principal part of my remarks.

Mr. SALTONSTALL. Then, so far as sporting guns are concerned, any amendments, insofar as they apply to interstate commerce, should be included as amendments to the present sporting guns legislation?

Mr. HRUSKA. The Senator is correct in his understanding.

Mr. SALTONSTALL. So far as imports are concerned, which concerns us in Massachusetts, Connecticut, and in New England particularly, that goes to the Senate Finance Committee with relation to tariffs and regulations on imports. It is not a problem directly concerned with the present Judiciary Committee position or responsibility; is that not correct?

Mr. HRUSKA. The Senator is correct. The Senate properly represented the bill dealing with the amendment to the National Firearms Act to the Committee on Finance which has it in its jurisdiction.

Mr. SALTONSTALL. The Senator from Connecticut [Mr. DODD] and I worked with the Committee on Finance on imports from Italy in particular, where they were buying up many of our old rifles, or those which we had delivered to the Italian Army, which had gotten into the hands of dealers, and those rifles were being shipped back here in competition with rifles manufactured in Massachusetts and Connecticut. Do I correctly understand that in the Senator's opinion, this is entirely a question of imports and how to handle them?

Mr. HRUSKA. Yes, it is. Furthermore, as the hearings disclosed, section 414 of the Mutual Security Act presently vests power over imports of that kind of weapon in the President. Some of those powers have been delegated to the Secretary of State. Section 414 of the Mutual Security Act presently contains statutory power dealing with that particular subject and that particular point.

Nevertheless, any desire to modify the laws and add to powers to deal with any of the imports on the basis of their being unsafe or too cheap should go to the Finance Committee.

Mr. SALTONSTALL. In reference to rifles coming in from foreign countries, they are subject to the laws which the Senator is discussing in relation to interstate commerce.

Mr. HRUSKA. That is correct.

Mr. SALTONSTALL. I think the great problem we face is to provide carefully thought out legislation, and not to legislate as a result of emotions aroused by the recent terrible crimes with which all of us are so familiar. I hope the Judiciary Committee and the Finance Committee will consider legislation on this subject based on the facts, with respect to State law and Federal law, that will be helpful and at the same time not penalize those dealing in firearms for sporting and other purposes.

Mr. HRUSKA. I thank the Senator. I yield now to the Senator from New Hampshire——

Mr. TYDINGS. Mr. President, will the Senator yield on that point, because I want to direct a number of my questions to some of the statements made by the Senator from Massachusetts?

Mr. HRUSKA. I shall yield to the Senator from Maryland next. I had promised to yield to the Senator from New Hampshire [Mr. COTTON], if the Senator does not mind.

Mr. COTTON. Mr. President, I wish to join my colleagues in thanking the distinguished Senator from Nebraska for the very thorough and careful way he has explored this subject, which is characteristic of his contribution in any matter which he takes up in the Senate.

Mr. HRUSKA. The Senator is very generous.

Mr. COTTON. The Senator could not dwell at length on all the points in his analysis, but one point he made is that in the original S. 1592, license fees were increased to levels which in effect would be prohibitive in many cases, especially to dealers.

Does not the Senator believe that fees placed upon dealers in firearms and ammunition are mainly for the purpose of having a license so that one knows who the dealers are and not for the purpose of putting dealers out of business?

Mr. HRUSKA. The original dealer's fee provided for under S. 1592 as originally introduced was $100. In many areas such a license fee would effectively prevent, in substance, a small service station, for example, from selling or dealing in ammunition or stocking a very modest line of firearms. The bill included ammunition and also the servicing and selling of guns. Such high fees would have been prohibitive for many small dealers. That would be a part of the hardship that would have been involved.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield for a point of clarification?

Mr. HRUSKA. I yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. I did not know whether the Senator from Nebraska wanted to leave the Senator from New Hampshire with the feeling that the requirement with respect to fees had not been changed and had not been rather significantly reduced in the consideration of this particular point.

Mr. HRUSKA. The question was directed to the bill as originally introduced. I tried to answer the question properly. In my prepared remarks I pointed out that the scale of fees contained in the bill as originally introduced had been changed. So there has been no misrepresentation of it.

Mr. KENNEDY of Massachusetts. I wondered if the Senator from New Hampshire understood the rather dramatic change that had been made.

Mr. COTTON. The Senator from New Hampshire does understand that. The Senator from New Hampshire says that the main purpose of licensing dealers of firearms and ammunition—and the Senator from New Hampshire spent 8 years as a county prosecuting attorney—is to know who they are, where they are, and if they are reputable and law abiding.

Mr. HRUSKA. That is correct.

Mr. COTTON. The fees imposed, should be nominal.

Does the Senator from Nebraska agree with that?

Mr. HRUSKA. I fully agree with that.

Mr. COTTON. We all know that the situation in urban areas and rural areas is different. In my own State there are a considerable number of dealers in small communities who, not as a main business, but as a part of their business, deal in firearms and ammunition. Their clientele is limited. Anything more than a nominal fee would be a needless hardship.

I am glad that the Senator from Nebraska feels that the important purpose of registration is not the charging of a fee.

Is that the Senator's position?

Mr. HRUSKA. Yes. Both the revised measure and my measure provided for a $25 license fee initially and $10 each year thereafter for a renewal of the license.

Mr. COTTON. I thank the Senator.

Mr. HRUSKA. I thank the Senator for his contribution.

I yield now to the Senator from Maryland [Mr. TYDINGS], a member of the Judiciary Committee and a member of the subcommittee which is dealing with the legislation now under discussion.

Mr. TYDINGS. Mr. President, the question which I should like to discuss with the distinguished Senator from Nebraska has to do with a question propounded by the distinguished Senator from Massachusetts, and the response of the distinguished Senator from Nebraska thereto. I am not sure that I understood the answer correctly, but I understood the Senator from Massachusetts to state that it was his understanding that the principal law enforcement problem in the area of firearm murders and deaths had to do with pistols or handguns, and the Senator from Nebraska answered in the affirmative and told him that that was the fact, and that that was the Senator's understanding. Is that correct?

Mr. HRUSKA. As to the higher incidence of crimes of violence with handguns as opposed to long guns?

Mr. TYDINGS. It was my understanding that the Senator said the primary problem was with handguns and not with long guns.

Mr. HRUSKA. That was not only my response to the Senator from Massachusetts, it was also one of the major points I made in the prepared remarks of which I delivered myself between the hours of 10:30 and 11:20. It is well documented, and if the Senator wishes a replay of that particular point, I should be most delighted to replay that part of the record.

Mr. TYDINGS. Is the Senator aware that the testimony of the Federal Bureau of Investigation before our subcommittee was that of the 5,634 gun murders committed in 1965, 30 percent were committed with long guns—a total of 1,690 lives were lost because of gun murders committed with rifles and shotguns?

Mr. HRUSKA. I am aware of it, and discussed the FBI figures in detail.

Mr. TYDINGS. Is the Senator aware of the fact that in the case of the 278 police officers killed in the United States since 1960, of the 96 percent who were killed with guns, 22 percent were killed with long guns—rifles and shotguns?

Mr. HRUSKA. I agree that the Senator from Maryland clearly and accurately reads the record.

Mr. TYDINGS. Is the Senator aware of the testimony of Captain Howe of the Los Angeles Police Department before the Subcommittee on Juvenile Delinquency, to the effect that of the firearms seized by the Los Angeles Police Department during 1963 and 1964, 626 rifles and shotguns were booked in 1963, and 580 in 1964; and that as a percentage of the 1963 total, 22 percent of all firearms seized were long guns, and in 1964, the figure was again 22 percent? Is the Senator aware of those figures, which were brought out at page 126 of the hearings before the Subcommittee on Juvenile Delinquency?

Mr. HRUSKA. I agree that the Senator from Maryland is correctly and accurately reading the record. I am still searching for some relevance to the subject at hand, but agree that the record is properly and completely read.

Mr. TYDINGS. Does not the Senator from Nebraska think it is of some relevance to the dangerous aspects of long guns that 22 percent of all police officers killed in the United States since 1960 were killed with long guns?

Mr. HRUSKA. I agree it is relevant to this extent: It is deplorable. It is tragic. We wish it would not happen. We wish we could pass a law such as they did in New York, saying that no one shall have guns except with a license, and that such a law would work. But the experience of New York has not been a happy one in that respect.

Mr. TYDINGS. Why has it not?

Mr. HRUSKA. I say we should consider the figures the Senator cites in connection with the entire context of the situation, and not look at one portion of it without looking at the whole cloth. The whole cloth was discussed by me in great detail; and again, if the Senator wishes, I shall be glad to replay any part of that record he desires.

Mr. TYDINGS. Does the Senator feel that Congress ought to try to cooperate with the local law enforcement officers of the United States? Practically, without exception, every major police officer in the United States who testified before the subcommittee said they need some sort of support from Congress to help them enforce their local laws. Does not the Senator think that is important?

Mr. HRUSKA. Yes, it is important; and yet it is not all. We have to consider all of the evidence and all of the circumstances. And may I say to the Senator from Maryland that, while he cited that 20 percent of the killings were with shotguns and 10 percent with rifles, and so on, the fact remains that 70 percent were committed with handguns.

Mr. TYDINGS. I agree that we need handgun legislation also.

Mr. HRUSKA. It is the users—or rather the misusers—of handguns who are the principal offenders. It is them we should zero in on. Because when we come to the other field, we come to facts which the Senator from Maryland has not mentioned, Mr. President—the 20 million lawful users of the long guns, who make proper, legitimate, lawful and beneficial use of the long guns. That also is a part of the record.

Mr. TYDINGS. There is nothing in the proposed legislation which will interfere with the lawful use of the long gun by any hunter in the United States. I myself have five shotguns in my closet. I was shooting guns with my father when I was 9 years of age. There is nothing in this measure which will affect any lawful hunter in the United States.

Mr. HRUSKA. To that I would take serious exception. I have covered that situation in my principal remarks. I shall be happy to go into it again. But I say there is a vast amount of hardship, burden, increased cost and expense, inconvenience, and harshness visited upon those purchasers who seek to buy, sell, and trade long guns. An analysis of the bill will show in detail just exactly how that happens.

Perhaps the experience of the Senator from Maryland is just a little different than ours, where we have fewer people per square mile, in other parts of the country. But I say the bill, if enacted, would interfere with and encroach upon the rights, the freedoms, and the entitlements of those who legally, properly, beneficially, and necessarily use long guns.

Mr. TYDINGS. Will the Senator concede that crime is becoming a major national problem in the United States?

Mr. HRUSKA. I serve on Senator MCCLELLAN'S Special Subcommittee on Criminal Procedures and Practices. I sit also on the subcommittee chaired by the distinguished Senator from Maryland, the Subcommittee on Improvements in Judicial Machinery. I have served on the Committee on the Judiciary for 11 years now, I am aware, not only as a citizen but also as a very interested member of the Committee on the Judiciary and of this body, not of the rate and seriousness of crime, and also have participated in some measure, in getting legislation approved to meet it.

Does that answer the Senator's question?

Mr. TYDINGS. That answers that question. Does the Senator also realize that the great majority of law enforcement chiefs at the local level, State and city police, state that a Federal limitation on mail order sale of guns is one

of the most important single things Congress could do to help them fight crime? Their testimony is replete. They came in day after day and testified before our subcommittee, and the Senator was there. Does not the Senator agree with that?

Mr. HRUSKA. Yes, I agree with the fact that there was much evidence adduced on the point from chiefs of police and law enforcement officers. My substitute bill addresses itself to that very point. However, it is appropriate to refer to the unhappy experience of New York with its Sullivan law, which will bear on that very point. Because the Sullivan law is drastic and far reaching in its impact on the ownership and use of firearms than the prohibition of mail-order sales.

Mr. TYDINGS. Is the Senator aware that the Sullivan law has had some effect in reducing or at least limiting the ratio of murders in New York substantially, as compared with those major cities that do not have gun restriction laws?

Mr. HRUSKA. I am not aware of that, and I would respectfully request the Senator from Maryland to cite some authority for it, because I hold in my hand the record of the hearings that were held by the Subcommittee to Investigate Juvenile Delinquency.

Let me say preliminarily—and I shall go into this in some detail—that between 1945 and 1964, murders in New York City increased 118 percent. That is not very much of a reduction in the ratio or the number in a city which did not gain that much in population in those 20 years.

Robbery increased 549 percent, and felonious assault increased 506 percent. Then, listen to this figure. Burglary increased 1,868 percent in those 20 years.

With that background, would the Senator from Maryland enlighten the Senator from Nebraska as to where the reduction in crime occurred in New York City?

Mr. TYDINGS. I should be delighted to do so. The figures of the Senator are only valid if one compares them with the figures and the ratios for the other major cities of the United States.

The latest available issue of the FBI's uniform crime reports, as of last year, show that in 1963 the murder and nonnegligent manslaughter rate per 100,000 inhabitants was 5.2 percent in New York City. It was 6 percent in Washington, D.C., where there is much more laxity in the control of pistols, compared to the Sullivan law in New York, which is much stronger. It was 10.1 percent, almost double the New York figure, in Dallas, Tex., where there is no gun control at all.

In testimony last year before a congressional committee, James V. Bennett, then Director of the U.S. Bureau of Prisons, said:

During 1962 five cities—New York, Chicago, Los Angeles, Philadelphia, and Detroit—all of which have varying degrees of gun regulation, experienced homicide rates of 5.4 (New York), 7.6 (Chicago), 6 (Los Angeles), 4.9 (Philadelphia), and 5.5 (Detroit), per 100 general population respectively. But the city of Dallas, which has no gun controls whatever, had a rate of 13.4 percent.

J. Edgar Hoover, of the Federal Bureau of Investigation, in 1963, said:

Of the 7,261 murders on which details were reported under the Uniform Crime Reporting Program last year, 54 percent of victims were killed with guns, the vast majority of which were handguns.

In 18 States which have bare minimum control laws over firearms, 65 percent of the murders were committed with guns. Many States have restrictions of varying degrees; however, in 7 States which require a permit, or the equivalent thereof, to purchase a handgun, 42 percent of the murders were attributed to firearms as compared to 58 percent for the other 43 States. Further, in 2 States which have stringent laws on the control of firearms, the figures for 1962 showed 32 percent of the murders were by gun.

My point is that this legislation is merely trying to assist in backing up the local law enforcement officer.

Mr. President, I yield the floor. I had not meant to go into so much detail.

Mr. HRUSKA. Mr. President, I am so glad to have heard that miscellany of testimony. However, the original proposition of the Senator from Maryland was that the Sullivan law resulted in a reduction in the number of crimes in New York City. He then suddenly changed his position, or did I misunderstand the Senator?

Mr. TYDINGS. Mr. President, the Senator said that the Sullivan law had not done much good for New York City.

My point is that the Sullivan law has made New York City a far safer city than it would have been without that law.

I used the comparative statistics for a number of major cities. These statistics particularly showed that in major cities of almost the same size, which have no gun restriction local law, the statistics were almost double those for cities with local gun restriction laws. I also pointed out Mr. Hoover's testimony.

Mr. HRUSKA. Mr. President, that bears out the understanding of the Senator from Nebraska that the Senator contended that the Sullivan law is a salutary and beneficial piece of legislation in New York.

The figures I have cited do not indicate that. They indicate that the number of felonies committed in New York were 109,000 in 1960 and 150,000 in 1964. That is a strange way for the Sullivan law to reduce the number of serious crimes.

Murder increased from 394 in 1960 to 638 in 1964. That is strange, reverse English on this proposition of reducing crime.

Robbery increased from 6,000 in 1960 to 8,000 in 1964. We go right on with the statistics as to felonies and misdemeanors. Assaults increased from 34,000 in 1960 to 41,000 in 1964.

Mr. President, let me give the background of that. Here is what is alleged in that connection, and I should like to read the record that is contained in the transcript of the hearings. The Senator was there to hear it.

George W. North, stated:

We search in vain for evidence of a statute which has lowered the rate of crime evident before its adoption.

He then stated:

This judgment leads to the conviction that the most prominent effect of S. 1592 would be a substantial and prolonged increase in the rate of violent crime throughout the Nation.

Here is how they substantiate it, and it makes sense. Mr. North testified:

The law breaker knows that his victim has been stripped of the means of self-defense, and that by-standers or witnesses have been similarly shorn of their ability to act as deterrent to the crime, defense to the victim (and by fear of subsequent irresistable violence), or witness to the prosecution.

He then testified:

After 20 years of ideal conditions in which to flower, this experiment has resulted in the failure of a vastly increased crime rate, and a rate of seizure of illegal pistols over twice the level of pistol licenses issued to sportsmen. Those who point with pride to this experiment reveal only an ignorance of our condition, or a deliberate effort to shunt aside the proper assessment of their abilities in office.

Thus does the whole idea of "making it more difficult for the criminal to buy a gun" stand exposed as a failure.

The criminal will always surmount or evade efforts to make it difficult for him to obtain a firearm.

A disarmed population encourages the criminal to step up the pace and brutality of his activities.

Mr. President, I ask unanimous consent that the testimony of Mr. George W. North, extending from page 775 of these hearings to and including the first third of page 777, which includes some figures from the New York City Police Department, be printed in the RECORD.

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

STATEMENT OF SPORTSMEN'S COUNCIL MARINE DISTRICT OF NEW YORK STATE, INC., BY GEORGE W. NORTH, CHAIRMAN, COMMITTEE ON FIREARMS LEGISLATION

Gentleman, in preparing our testimony for these hearings on S. 1592 (the measure introduced by Senator DODD of Connecticut to alter present controls on the interstate sale of firearms) we have been mindful of the need to avoid statements unsupported by facts or experience. We have therefore engaged in long and painful research to assemble the facts supporting our stand.

As sportsmen we can be expected to oppose any legislation which imposes needless, costly, and time-consuming restrictions on our right to purchase and own firearms. But what of our role as citizens, seeking the best interest of the communities to whom we have entrusted our lives, and those of our families? Here, our interest demands in clear terms that we do all in our power to alter or defeat this bill. Its approach is to make the purchase of a firearm more difficult; it is therefore germane to these hearings to show what effect this approach has had on crime in the past, and therefore, whether it is in fact desirable to pursue this approach represented by the pending legislation.

History provides many examples of government control over the purchase or possession of firearms. None is admirable in origin or effect. We search in vain for evidence of a statute which has lowered the rate of crime evidence before its adoption. The most eloquent firearms law is the one under which the club members of our council have spent their lives. We are qualified both by training and the experience of our daily lives to speak of it knowingly. We can judge the probable experience of this Nation if S. 1592 is adopted by our own experience under our local law. This judgment leads to the con-

viction that the most prominent effect of S. 1592 would be a substantial and prolonged increase in the rate of violent crime throughout the Nation.

This judgment is neither reached nor voiced frivolously, or without great study. It arises because of the marked similarities of approach between S. 1592 and chapter 136 of the laws of 1893 (New York), the recodification of what is known as the Sullivan law. That law has been covered in such detail from so many sources, including Senate hearings in 1964, that its structure can be passed over here, and attention focused on its results. Those results, for New York City, the jurisdiction for which we can speak from personal experience and authority, are summarized below:

1. A substantial reduction in the number of firearms in the hands of lawful citizens with great damage to reputable commerce in arms and ammunition. (Viz., number of licenses issued each year.)

2. An appalling increase in the rate of violent crime, and of the importance of violent crime as a percentage of total crime. (Viz., appended statistics for violent and total crime categories from New York City Police Department reports. Note that violent crime—murder, rape, robbery, felonious assault, and burglary—has risen from 24 percent of all felonies in 1945 to 47 percent of all felonies in 1964.)

3. An inconcealable explosion in the cost of providing police protection to the citizens of this city.

It may at first glance prove difficult to accord these results to a law whose avowed purpose and constantly repeated defense is that it serves to contain the criminal. Nonetheless, the conclusion is inescapable that, just as prohibition, under the Volstead Act turned us into a nation characterized by wanton and promiscuous consumption of alcoholic beverages, the "Sullivan law" has had the paradoxical effect of spawning violence where none existed, and of reinforcing the power of the professional criminal.

The citizen walking abroad in the streets of New York City is an open invitation to the criminal. The lawbreaker knows that his victim has been stripped of the means of self-defense, and that bystanders or witnesses have been similarly shorn of their ability to act as deterrent to the crime, defense to the victim (and by fear of subsequent irresistible violence), or witness to the prosecution. Given this incentive, the criminal has armed himself with unprecedented frequency, and engaged in crimes of a nature almost proscribed by the previous condition; namely, that a few (certainly a small percentage, but an existing percentage nonetheless and sufficient to serve as a deterrent) of his potential victims had the means to resist a criminal attack, and leave the attacker dead upon the street.

Under the "Sullivan law," we have encountered curious phenomena: witnesses fearful of even summoning police (let alone of providing testimony) in anxiety over retribution; rapists capable of attacking up to 30 women before encountering a condition of seriously threatening resistance; and citizens under indictment for acting in armed self-defense, or in the defense of others. Unless the criminal picks as victim the 1 man in 300 authorized to carry a firearm at all times (the police officer on or off duty) he can count on the effects of the "Sullivan law" to allow him to prey virtually at will.

This condition is not limited to New York City, and exists wherever officialdom frowns on the possession, by the average undistinguished citizen, of the means of self-defense. Nonetheless, it has reached debilitating proportions here, where official reluctance to issue firearms permits reaches an unrivaled peak.

Each major city differs from each other, and comparisons of crime rates between cities are almost meaningless. It is possible, however, to compare each city's crime rate with its own past record. On this basis, the "Sullivan law" stands alone, or rather, the approach of making it difficult to purchase a firearm stands alone. During a period when New York City's population grew not at all from the inflated 1945 wartime peak estimate, crime in this city has shown the following increases (1945–64):

	Percent up
Total felonies	428
Total misdemeanors	381
Categories:	
Murder	118
Rape	164
Robbery	549
Felonious assault	506
Burglary	1,898

(The starting point of 1945 is chosen for the tabulation above because in that year a massive campaign was conducted to advise the public of the nature and the requirements of the "Sullivan law." This was prompted by the flood of souvenir pistols brought in by returning servicemen at the end of the Second World War.)

Never has the idea of making pistols difficult to obtain been given a fairer chance to work than in this period, and never has this idea so clearly been proven bankrupt. After 20 years of ideal conditions in which to flower, this experiment has resulted in the failure of a vastly increased crime rate, and a rate of seizure of illegal pistols over twice the level of pistol licenses issued to sportsmen. Those who point with pride to this experiment reveal only an ignorance of our condition, or a deliberate effort to shunt aside the proper assessment of their abilities in office.

Thus does the whole idea of "making it more difficult for the criminal to buy a gun" stand exposed as a failure. It is not possible to state in what measure this idea has been responsible for the vast increase in crime evident during its tenure, but time and time again over the past 20 years the newspapers of this city have reported the words of apprehended criminals to the effect that—

1. The criminal will always surmount or evade efforts to make it difficult for him to obtain a firearm.

2. A disarmed population encourages the criminal to step up the pace and brutality of his activities.

We can offer no more telling testimony against S. 1592 than our certain conviction that it will prove far more aid to the criminal than to society. In place of this measure, let us again address ourselves to providing the only effective weapons in the war against the criminal: swift apprehension, certain prosecution, and just punishment.

Thank you for considering our views.

NEW YORK CITY POLICE DEPARTMENT—SELECTED STATISTICS FROM ANNUAL REPORTS

Police strength (yearend)

	Men [1]
1945	15,068
1964	25,432

[1] Includes policewomen.

Police department expenditures

1945	$69,839,909
1964	267,301,634

Reported population

	New York City	United States
1940	7,454,995	131,954,000
1950	7,891,957	151,326,000
1960	7,781,984	179,323,000

Source: Bureau of the Census statistics.

Reported crimes

Year	Felonies	Misdemeanors	Felony			Felony and misdemeanor		
			Murder	Rape	Robbery	Assaults	Narcotics	Illicit weapons
1945	28,555	60,829	292	597	1,234	4,924	[1] 712	[1] 1,035
1950	34,881	71,014	294	704	2,457	7,097	1,272	921
1955	98,374	206,484	333	1,322	7,438	27,075	5,048	1,397
1960	108,491	227,588	394	1,390	6,629	34,472	6,609	1,713
1961	113,340	233,749	486	1,274	5,988	35,065	5,351	1,754
1962	122,141	253,203	509	1,396	6,668	37,714	6,116	1,795
1963	133,793	273,326	552	1,349	6,850	38,504	6,966	1,624
1964	150,690	292,795	638	1,572	8,018	41,336	10,836	1,925

[1] For crimes reported read arrests.

Firearms statistics

Year	Licenses issued (annually)				Weapon seizures		
	Dealer	Gunsmith	Pistol permit		Pistols	Rifle	Shotgun, airgun, knife, etc.
			Premises	Carry			
1945	77	39	2,601	23,741	[1] 6,167	207	653
1950	118	57	1,563	21,847	3,247	191	1,345
1955	32	40	987	21,827	3,553	298	1,269
1960	38	37	474	16,473	5,017	589	3,286
1964	33	30	346	17,150	5,104	971	5,303

[1] Aberrationally high figure reflecting voluntary surrender of war souvenirs.

Mr. HRUSKA. Mr. President, I ask unanimous consent that an article entitled "True City Tally of Crime Pushes Rates Up Sharply," written by Eric Pace and published in the New York Times of April 5, 1966, be printed at this point in the RECORD. This article speaks for itself. It describes the crime problems which presently obtain in New York City.

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

TRUE CITY TALLY OF CRIME PUSHES RATES UP SHARPLY—BURGLARIES UP 96.4 PERCENT AND ROBBERIES 89.9 PERCENT AS HIDDEN DATA EMERGE—MURDERS STATISTICALLY UNCHANGED

(By Eric Pace)

Police Commissioner Howard R. Leary announced yesterday that recorded complaints of burglary and robbery in the city had almost doubled after police commanders were ordered "to insure factual recording of crime statistics." He said, however, that there had been no increase in the actual amount of crime.

"The public has the right to know the true extent and nature of criminality in our society," the Commissioner said, as he released a summary of crime statistics for the 20 days following March 10, when the order went out.

The figures showed what Mr. Leary called "a marked statistical increase in crime, a statistical wave," when compared with figures for the same period last year, when Michael J. Murphy was Commissioner.

Burglaries were up 96.4 per cent and robberies 89.9 per cent. The total number of complaints was 24.6 per cent higher than last year, including 59.9 per cent more felonies and 25.5 per cent more misdemeanors.

The number of grand larcenies was up 54.2 per cent from last year. Felonious assaults were up 44.6 per cent; rapes, 22.1 per cent, and auto thefts, 21.7 per cent.

Commenting on the increases, a police spokesman observed: "It would appear by this great upsurge in reported crime that there may have been downgrading [of crime statistics] in the past."

The only crime that showed no statistical increase was homicide. There were 33 murders in the city during the 20 days and there were 33 the year before.

"You can't hide a body," one high police official remarked.

During the 20 days, however, the number of reported "offenses," such as disorderly conduct, fell by 40.2 per cent. Police officials said this seemed to indicate that complaints that might otherwise have been classified as offenses were being recorded as misdemeanors or crimes.

"The true incidence of criminality in our city is high and has been high for some time," Mr. Leary contended.

"Careful analysis of the conditions obtaining during the period in question has failed to reveal the existence of any factor that would disproportionately inflate normal figures. No major catastrophe or disaster has struck, no great increase in the actual incidence of crime and no major disorder has occurred during this period."

Former Commissioner Murphy could not be reached immediately for comment. His successor, Vincent L. Broderick, declined to discuss the statistical upsurge, but at City Hall a spokesman for City Council President Frank D. O'Connor maintained:

"The crime rate is so high anyway, especially in Manhattan, that nobody could underestimate the statistics. I don't think Commissioners [Stephen P.] Kennedy, Murphy or Broderick would be a party to shaping statistics for partisan purposes."

From his office down the hall, Mayor Lindsay said through his spokesman:

"This is a police matter. I stand behind my Police Commissioner in his crime-statistic reporting. I don't wish to make this a partisan matter."

During the mayoral campaign Mr. Lindsay said in a "white paper" on crime: "In the past 10 years the crime rate has risen one-third. Last year major crimes soared by 14.9 per cent to a new high . . . but even these dramatic statistics do not tell the full story."

He did not question the validity of the statistics at the time.

Mr. Leary's figures, however, showed a total of 33,504 complaints from March 1 to 30 of this year compared with 26,892 the year before. During the period burglaries were up from 2,500 in 1965 to 4,911 this year; robberies, from 483 to 917.

By the same token, the number of reported felonies was up from 8,554 in 1965 to 13,679. Grand larcenies were up from 2,578 to 3,794; felonious assaults, up from 791 to 1,143; rapes, up from 104 to 127; and grand larcenies involving cars, up from 1,506 to 1,833.

Total misdemeanors rose from 10,900 in 1965 to 13,677 this year, while the number of offenses fell from 2,109 last year to 1,261.

Chief Inspector Sanford D. Garelik, who put out the order calling for better statistics, declared at the time that "self-serving" officials had tended to report crime in their jurisdictions as being less serious than it really was.

High police officers said yesterday that burglaries had sometimes been "canned" (not recorded in police statistics) or had been recorded as petty larceny or lost property. Similarly, they said, robbery complaints had sometimes been downgraded to petty larceny or to disorderly conduct.

Deputy Inspector Joseph H. McCabe, commander of the Statistical and Records Bureau, said the department's procedures for processing complaints had been changed midway through the 20-day test period.

In the first half, precinct or detective squad commanders had classified complaint reports within 72 hours of the time the complaint was made, enabling detectives to do preliminary investigating before the complaint was initially classified.

By direction of Mr. Leary, however, this procedure was altered as of March 21. Thereafter complaint forms were required to be classified initially by the morning after they were made, thus reducing the time available for detectives to investigate the complaint before classification.

With the new, shorter deadline, classifying is now done by desk officers rather than commanders. It is liable to revision after investigation.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. HRUSKA. Mr. President, I should like to yield first to the senior Senator from Iowa who has been patiently waiting since the principal part of the remarks of the Senator.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HICKENLOOPER. Mr. President, I thank the Senator and join with the others who have commended the Senator from Nebraska for a thoughtful and exploratory discussion of this subject which can be very complicated depending upon the emotions involved and the intent of the people supporting or opposing the legislation.

I think the Senator from Nebraska has presented a most objective discussion. I read his printed statement last night, and I have read the bill which the Senator proposes to introduce.

I think he is coming close to a sound, sensible approach to this problem, if there is a real problem. I am not so sure yet that there is a real problem which legislation can reach or correct. It may be of some help, but it is along that line that I should like to interrogate the Senator, if I may.

Mr. HRUSKA. I should be most happy to respond if I can.

Mr. HICKENLOOPER. Mr. President, I am not opposed to legislation, per se, in this field, providing it is not legislation which unduly destroys the basic rights of the American citizen and his constitutional privileges and the things that go along with it and the right of sportsmen and matters of that kind.

Does the Senator have any statistics—or were any statistics developed in the hearings—indicating how many of the crimes of violence were committed by persons using pistols which were registered in the name of the offender?

Mr. HRUSKA. There are no such statistics that I know of either in the Federal Bureau of Investigation or elsewhere, for nationwide purposes.

Mr. HICKENLOOPER. It is my impression, from talking with many persons about this subject who are in a position to know—that is, law-enforcement officials and others—that the calculating criminal almost never uses a gun that is registered or traceable to him. He uses a gun that is not registered to him or is not traceable to him. Therefore, how could such legislation as the original S. 1592 be of any benefits in preventing that kind of crime?

Mr. HRUSKA. Of course, it could not. There are many other avenues by which guns may be procured by those who wish to use them unlawfully.

One of the things a criminal does in committing a crime is to attempt to steal a gun. Perhaps we ought to pass a law making it unlawful for him to steal a gun. I think it would be unnecessary. Every State of the United States has a law like that. New York goes further than that.

Mr. HICKENLOOPER. Perhaps we ought to pass a law making it unlawful for anyone who owns a gun to permit it to be stolen from him.

Mr. HRUSKA. It might be well to consider that.

Mr. HICKENLOOPER. Of course, I am not qualified to say that all these crimes are committed with stolen guns or guns purloined from someone or surreptitiously obtained. However, I believe there is no question that the statistics, if they were available, would show that almost all these crimes were committed with stolen guns or guns that cannot be traced to the actual committer of the depredation.

Mr. HRUSKA. The Senator makes a very good point.

(At this point Mr. NELSON assumed the chair as the Presiding Officer.)

Mr. HICKENLOOPER. Therefore, I wonder how such legislation would correct any part of that situation.

One must consider the purposes behind the proposed legislation, as expressed in the original bill. In my judgment, the license fees in the original bill would have put practically every little dealer in the country out of business. It would have been too costly for him to stay in business. This would be especially true in the farming areas, in the small towns, and in the small communities, where a general storekeeper may have two or

three guns, a .22 rifle or two, and perhaps a single-barreled shotgun and a repeating shotgun. That may be his complete gun stock. He also may have a few boxes of ammunition. The original bill would have required him to pay a license fee—I know that has been corrected somewhat—greater than the profit he could have made on the guns he sold in 5 years.

Mr. HRUSKA. A hundred dollars was the original provision.

The more inherently evil part of the original bill was that it applied to ammunition and gun parts. That provision has been stricken. It does not now apply to ammunition. The license fee has been reduced to $25 for the first year and $10 for succeeding years.

Mr. HICKENLOOPER. Is the Senator speaking of S. 1592?

Mr. HRUSKA. S. 1592, the original bill.

Mr. HICKENLOOPER. I should like to ask the Senator about another phase of this situation—the authority of the Treasury Department or the authority of the administering agency, wherever it may be, or of the police chief in a particular area. What is the situation now as to S. 1592 with respect to that authority? Is that authority arbitrary? I am not speaking of the Senator's bill.

Mr. HRUSKA. The Secretary of the Treasury would have power and authority over the issuance, the rejection, or the revocation of licenses; and that power would be founded, in my judgment, on such broad and vague grounds as to constitute arbitrary and almost totally discretionary power.

Mr. HICKENLOOPER. Whimsical or discretionary power.

Mr. HRUSKA. Yes. In my judgment, that is true.

Mr. HICKENLOOPER. Is it not true that the Sullivan law in New York lodges complete discretionary power in the hands of either the police department or other authorizing agency, and that the law-abiding individual, even though there is nothing wrong with him, has no inherent right to own a gun?

Mr. HRUSKA. And he has no appeal from the ruling of that agency or that official.

Mr. HICKENLOOPER. Therefore, it would be up to the whim and caprice of the chief of police or someone else as to whether or not the Senator from Nebraska or the Senator from Iowa, if we moved into New York, would have a right to buy and own a handgun.

Mr. HRUSKA. The Senator is correct.

Mr. HICKENLOOPER. There are a number of cases where nothing was in the record indicating anything derogatory against the applicant to purchase a gun, and the authorities just said, "We will not give you the permit." They just denied it arbitrarily, without pointing to any shortcoming on the part of the individual, with no criminal record, with no question of age—that is, that he was a juvenile—or anything of that kind. There was just an arbitrary refusal.

Mr. HRUSKA. Such instances have been known to occur.

Mr. HICKENLOOPER. I believe that that is a significant facet of the situation. I believe that the original bill, as it was introduced, contained provisions along that line, which gave arbitrary authority—that is, authority which, in my judgment, amounted to arbitrary authority—to the Treasury Department.

Mr. HRUSKA. Too much of which still remains in the modified version of S. 1592.

Mr. HICKENLOOPER. I believe that that bill is still replete with such authority. It is a bill that assaults the 20 million law-abiding, honorable citizens of this country, the 20 million who really have and use guns, if we take into account the farmers and the people who hunt on their own land and do not have to buy hunting licenses; and about 15 million people in this country have hunting licenses.

To me it looks like a direct assault upon their integrity and their privilege of using something which has been traditional in the winning of the United States and the carrying on of one of the greatest outdoor recreational activities that there is.

Mr. HRUSKA. An activity in which the Senator from Iowa excels and in which he takes great delight.

I wish to pay, in his presence, the tribute which is due him for the concept of the bill which I have described and which I intend, in due time, to introduce for the attention of the Committee on the Judiciary and the Senate, because it was the original Hickenlooper bill, S. 1965, which became the vehicle for the version which I shall later introduce.

Mr. HICKENLOOPER. I thank the Senator from Nebraska. I am not particularly desirous of taking either credit or blame for the bill. It is a question of providing legislation in this field which does not do injustice to the overwhelming number of people who would be affected in an attempt to reach a few. I think the effect of the original bill would be something like trying to cure a cold by cutting one's head off.

I thank the Senator from Nebraska for yielding.

Mr. HRUSKA. I thank the Senator from Iowa for his contribution to the discussion.

I now yield to the distinguished Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. President. will the Senator from Nebraska yield for a rather brief commentary on the general statement which was propounded by him?

Mr. HRUSKA. I am happy to yield.

Mr. KENNEDY of Massachusetts. Before proceeding, I ask unanimous consent that I may yield to the Senator from Connecticut [Mr. DODD] without losing my right to the floor, so that he may propound a unanimous-consent request.

Mr. HRUSKA. Mr. President, I did not understand that I was yielding the floor. I agreed to yield to the Senator from Massachusetts, and I shall do so most happily. If the Senator from Connecticut wishes to have me yield to him, I shall do so, but I should like to retain the floor, because several Senators on this side of the aisle desire to participate in the discussion.

Mr. KENNEDY of Massachusetts. If I may be granted my request, the Senator from Connecticut wishes to propound a unanimous-consent request.

Mr. HRUSKA. I am happy to yield to the Senator from Connecticut for that purpose.

Mr. DODD. I thank the Senator from Nebraska.

Mr. President, I ask unanimous consent that at the conclusion of the consideration of the Defense appropriation bill, I be permitted to speak for 45 minutes on the gun bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DODD. While thanking the Senator from Nebraska for his courtesy in yielding to me, I wish also to congratulate him on his birthday, but to say that I am sorry he is speaking in this manner on this very good piece of proposed legislation.

Mr. HRUSKA. The Senator from Connecticut is most gracious. He is this morning in his usual good form.

I yield to the distinguished Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. President, the thrust of the remarks of the Senator from Nebraska [Mr. HRUSKA] is that since gun control regulation cannot prevent the wrong persons from obtaining firearms, we should do as little as possible to inconvenience the average gun buyer. The Senator also argues that there is no need for gun regulation; that only a relatively small number of crimes are committed with firearms. Based on this view of the facts and this kind of reasoning, it is no wonder that the substitute the Senator offers is as weak as it is. But I totally disagree with this view of the facts and with this reasoning.

Of course, it is true that gun regulation will not absolutely prevent crime. There are no easy answers. But this view misses the point. Everyone recognizes that if someone wants a gun badly enough, he may be able to obtain it regardless of the existence of laws regulating the sale of guns. But it seems obvious to me that we have a responsibility to do everything we can to minimize the senseless bloodshed and crime effectuated through these instruments of destruction.

We know that there is a definite correlation between strict firearms control and a lower incidence of firearms crimes where such controls are in effect, both in the United States and abroad.

In 1964, there were 9,000 murders in the United States, 55 percent of them caused by guns. Compare this rate with the rate in Japan, where there were almost 1,500 murders in 1962, only 37 by guns; or the United Kingdom where there were 309 murders, only 29 by guns; or Sweden where there were 86 murders, only 5 by guns. The same sort of correlation can be found among different areas in the United States. Where guns are more easily purchased, they play a larger part in murder. In the Northeast where there are some gun restrictions, 30 percent of the murders committed were by guns; in the South where controls are

at a minimum, 64 percent of the murders were committed with guns.

As J. Edgar Hoover has said:

> Easy accessibility of firearms is a significant factor in the murders committed in the United States today.

From these statistics it seems reasonable to assume that gun restrictions can reduce the number of guns in the hands of actual or potential criminals, the mentally ill, the juvenile and the irresponsible; and that therefore such regulation will mean fewer suicides, fewer impulsive murders and fewer senseless accidents.

As James V. Bennett, former Director of the Federal Bureau of Prisons, told our subcommittee:

> Many serious crimes could be avoided if it were made much more difficult for guns to come into the possession of the unstable, the embittered, and the hostile.

But I would have thought that this fact would be obvious. It is apparently obvious in every other civilized country in the world, for I know of no such country where it is as easy for dangerous and misguided members of the society to obtain firearms as it is here in the United States.

Why should we tolerate a system of laws which makes it ridiculously easy for any criminal, any madman, any drug addict, and, indeed, any child, to obtain firearms which can be used to rain violence and death on innocent people?

We require the registration of autos and the licensing of dogs; we have controls on tobacco, alcohol, narcotics, dangerous food, and drugs. Why not guns? Are guns not dangerous? As J. Edgar Hoover has said:

> A firearm is seven times more deadly than all other weapons combined.

Is it because, as the Senator from Nebraska argues, only a small number of gun users misuse their guns? I suppose that depends on what one considers sufficient gun misuse to warrant concern. Should we be concerned that more Americans—750,000—have been killed by firearms in this century than were killed in all the wars in our history? Should we be concerned that the rate of gun fatalities in our society is as much as 5 to 10 times higher than those in other countries? Should we be concerned that 17,000 Americans die each year from firearms, that 50 lives are lost each day, that crimes of violence are committed with a gun every 2 minutes? Should we be concerned over the 10,000 suicides each year? I know that the families of the over 200 law-enforcement officers murdered with firearms in the past 4 years are concerned about the use of guns in this society, and the families of the 600 children under 14 who die every year in firearms accidents are concerned.

All of us should be concerned, and all of us should be anxious to do something about the rising violence in our land and the plague of guns which afflict us.

I am not claiming that effective gun regulation will eliminate senseless slaughter. But we must make a beginning. If we have any respect for human life, we cannot continue to do nothing. The bill introduced by the Senator from Connecticut [Mr. DODD] is not a panacea. We cannot hope to achieve truly effective gun regulation without responsible legislative action at the State level. This is so because the Dodd bill does not attempt to regulate the traffic of firearms within a State. What it does is to establish a framework within which State regulation can be effective. This kind of Federal action is a necessary first step, because unless the Federal Government regulates gun traffic between the States, even strong State laws will be easily circumvented by interstate gun traffic. In 1963 alone, for example, more than a million weapons were sold by mail order. In Massachusetts, which has strong gun laws, the traffic in guns cannot be halted because guns are easily purchased out of State. As a matter of fact, Commissioner Caples, of the Massachusetts Department of Public Safety, testified before our subcommittee that 87 percent of the concealable firearms used in Massachusetts crimes came from out-of-State purchases.

Massachusetts cannot control the interstate traffic in guns. But the Federal Government can, and the Federal Government must, because such regulation is a precondition to effective State regulation, without which the grim statistics of death and destruction can only continue to mount.

The subcommittee bill would place an outright ban on the interstate mail-order sale of handguns. Testimony before the subcommittee was overwhelming that this mail-order business served completely to circumvent State laws and to make it ridiculously easy for juveniles, minors, and adult criminals to obtain anonymously firearms for less than it costs to buy a pair of shoes. The testimony indicated that 25 percent of those receiving mail-order firearms had criminal records.

The subcommittee bill attempts to meet this problem by banning mail-order traffic in handguns, by restricting the over-the-counter purchase of handguns by nonresidents, by regulating mail order traffic in shotguns and rifles by affidavits, by establishing minimum ages of 18 for the purchase of rifles and 21 for the purchase of pistols, and by seeking to curb the flow of nonsporting and military surplus firearms which have been poured into this country from abroad in recent years and have been dumped on the market at low prices attractive to juveniles. The subcommittee bill is a serious attempt to deal with the problems revealed by the testimony taken at the many hearings our subcommittee has held on this question.

Senator HRUSKA's proposal is not an adequate substitute for S. 1592.

S. 1592 is broader in scope; it would be much more effective as a deterrent; its need has been documented in the extensive hearings held on this legislation.

There is simply no justification for legislation weaker in impact or narrower in scope than S. 1592. In my judgment, the need for effective Federal regulation as a precondition to legislating effective State controls over firearms is so well documented that I would prefer an outright ban on mail-order sales of both handguns and long guns. In order to report this bill from the subcommittee, however, it was necessary to amend the long gun provision to permit interstate sales of long guns through the affidavit procedure. But the overwhelming majority of the subcommittee, and I believe of the full committee, support the complete ban on interstate mail-order sale of handguns. There is simply no good reason for relaxing this ban.

The Senator from Nebraska arrives at the conclusions he does because, I say most respectfully, he starts, in my judgment, from the wrong premises.

His statement indicates that his primary concern is with the personal convenience of the gun buyer. I do not believe effective gun-control legislation can be based on such a preoccupation. I do not believe we can have effective Federal gun-control legislation if S. 1592 is further watered down to avoid even the minor inconveniences inevitably flowing from any kind of regulation.

I start with a different premise and a different concern. I believe that the Federal Government has a responsibility to try to do something about the "plague of guns" affecting our country. I believe the most important questions we can ask about the proposed legislation are: Is it a strong enough beginning? Will it have some impact in reducing the ease with which the sick, the young and the criminal can lay their hands on deadly weapons? Does it provide a framework within which States can pass effective gun control legislation of their own? Does it demonstrate that we are really serious about gun control and that Congress really cares?

Senator HRUSKA's proposal does not meet these tests. His proposal leaves out the regulation of rifles altogether and permits anyone, no matter how young, to buy a rifle by mail order or a pistol over the counter. He seeks to do nothing to stop the torrent of cheap imports flooding our country with unsafe and military surplus weapons. He would permit the sale of handguns to nonresidents provided they filled out affidavits. He makes no provision for the regulation of destructive devices; with the intolerable result that it would still be possible to purchase bazookas and mortars by mail order. He would regulate interstate mail order handgun sales by affidavit. In none of these cases is any reason given for the watering down or the elimination of controls except the general complaint that the subcommittee bill imposes unnecessary inconveniences on the gun buyer, or some jurisdictional quibble.

Mr. President, in my judgment, this argument just will not wash.

A handgun is not a weapon of sport. An affidavit procedure is simply not so effective as an outright ban. Employing the affidavit procedure will not insure that handguns will not be sold to those who have no right to them. Affidavits may be ignored by local law-enforcement officers or the information on them unchecked for accuracy. But the seriousness of mail-order traffic in handguns is so clear that I fail to see what possible justification there can be for lifting the ban found in the subcommittee bill.

Similarly, the bill of the Senator from Nebraska leaves mail-order rifle and shotgun sales totally unregulated. He argues that 70 percent of gun murders are committed with handguns and therefore handguns are the only weapon with which we must be concerned. But what of the other 30 percent, the murders committed with rifles and shotguns? What of the families of the 1,700 victims of long-gun murders committed last year? Is the regulation of long guns of no significance to them?

There has been substantial misuse of rifles and shotguns. Indeed, the percentage of rifle and shotgun murders in rural areas exceeds 50 percent. Mail-order firearms sales of rifles and shotguns to persons with criminal records were about 10 to 15 percent of all mail-order sales to criminals in the several major cities surveyed by the subcommittee.

The subcommittee has heard testimony from law enforcement officers from New Jersey, Massachusetts, New York, Georgia, Pennsylvania, and Missouri on the need for regulating long guns.

Furthermore, as Police Commissioner Leary, then of Philadelphia, observed before our subcommittee, if we stringently regulate only handguns, criminals will undoubtedly turn more and more to the long gun as a weapon of crime.

Seventeen hundred long-gun murders a year. Is that enough to justify concern? Is that enough to justify some attempt at regulation?

The proposal of the Senator from Nebraska contains no provisions on imports. His reasons: there is nothing inherently evil about imports; if they are dangerous or unsafe then regulate them on the same terms as domestic weapons. Also they involve questions of tariff policy and should not be handled in a bill dealing with firearms. The problem with this argument is that the Senator from Nebraska refuses to think of these weapons of death as any different from any other commercial product. But they are different.

They are different from Swiss watches or Japanese textiles. We are legislating to protect the general welfare of the American people, not to regulate trade or protect American business interests. Our inquiry here should be the same as it is elsewhere in this legislation: What steps can we take to reduce this senseless traffic in weapons of destruction? Between 1959 and 1963, between 5 and 7 million foreign weapons, old and new, poured into this country from abroad. It has been estimated that the United States is the dumping ground for 75 to 90 percent of the world's war surplus weapons. Other countries like Germany and England simply do not permit the importation of surplus military firearms, just as they bar the sale of domestic military firearms within their country.

Under the subcommittee bill, military surplus handguns are banned and military surplus rifles are permitted only if they meet recognized safety standards and are suitable for lawful sporting purposes. The purpose of this provision is to stop the flood of cheap, imported handguns and unsafe, military surplus rifles. According to GSA regulations, our own domestic military surplus firearms cannot be sold here except as scrap. Since we do not permit our own domestic military surplus to be sold here, I see nothing at all unusual about regulating or prohibiting all foreign military surplus firearms. Indeed, the Justice Department considers such restrictions necessary and desirable.

The simple fact is, we must stop being the dumping ground for weapons of death from abroad. There should be no question about parity of treatment. The flow of cheap and unsafe guns from abroad increases the danger of gun violence to the American people, and it is altogether appropriate to legislate to slow that flow. That is what this legislation is aimed at doing.

The Senator from Nebraska talks about the terrible burdens, inconveniences, and costs involved in the application of the regulations of the subcommittee bill. But he never says what these burdens are, or why they would be intolerable.

Why would it be so burdensome to have to order guns by mail within your State, or to actually visit a weapons shop or department store to purchase firearms? Or to be restricted in buying a pistol to buying it in the State of your residence? Or to being 21 to buy a pistol, or 18 to buy a rifle? Why should anyone under 21 be permitted to buy a pistol from a federally licensed dealer over the counter? Why should anyone under 18 be permitted to buy a rifle by mail order or over the counter? Whose convenience are we protecting when we relax these restrictions? What is so burdensome about requiring the buyer of a rifle by mail order from out of State to fill out a simple affidavit? After all, the Senator from Nebraska himself imposes that burden for handguns. Is it really so great a burden to put upon a rifle buyer? If imposing this slight inconvenience would result in even only a few less than the present 1,700 rifle murders a year, would it not be worth it? Do we not owe it to the people of this country to try and make a decent start in reducing the dangers of gun violence?

Do not the people of this country, the great majority of them, favor the imposition of these slight burdens and inconveniences to help deal with this problem. I think they do.

The Senator from Nebraska asks how we can compare a few thousand murders to the personal convenience of 20 million lawful users of guns. I do not compare them. When we consider the number of human lives that are involved, the minor regulations that this bill imposes are not significant enough to justify any comparison whatsoever.

Mr. President, this legislation will not in any substantial way burden any person who has a legitimate purpose in obtaining a firearm. The subcommittee bill can mark an effective beginning. It deserves the support of Congress and the people of the United States. It already has the support of the President, the Attorney General, the American Bar Association, the National Association of Police Chiefs, and virtually all of the leading magazines and newspapers of this country. I am glad this matter has been so fully aired this morning, for it means that there can be no reason for further delay in the full Judiciary Committee. We have delayed long enough. This question deserves to be brought to a vote, to be favorably reported by the full committee, where I believe it is overwhelmingly supported, and brought to the floor of the U.S. Senate.

Mr. President, I express my appreciation to the Senator from Nebraska. I understand that he had time today until 1 o'clock. He was extremely kind and generous to let me respond in opposition to his proposal on his time. I did feel that, having had the opportunity just this morning and last evening to review his presentation, this matter is of such importance it warranted those of us—including the Senator from Connecticut [Mr. DODD], the Senator from Maryland [Mr. TYDINGS], and others—who serve on the Committee on the Judiciary with the Senator from Nebraska, to have in the RECORD at this point a preliminary response to some of the points which have been raised by the Senator from Nebraska this morning.

Mr. HRUSKA. I have enjoyed the presentation just made by the Senator from Massachusetts. I think I would have enjoyed it and would have been able to follow it much better if I had had a copy in my hand, inasmuch as my name was mentioned, not in vain, but quite repeatedly.

There are, however, one or two significant things on which I should like to comment at this time. One is the allegation that S. 1592 is not a perfect bill, but is a beginning.

Mr. President, that is what some of us are afraid of, that it is a beginning. Consider its original form, and the fact that from that time on there has been a recession from that point, but this is just the beginning.

What is it going to lead to? Is it going to lead to another Sullivan law, with all the dire happenings that have occured in the State of New York? We shall await with great interest what will follow the beginning—should S. 1592 be enacted into law.

There is another point which I should like to make. Then I shall yield to the Senator from South Carolina [Mr. THURMOND], and then to the Senator from Nevada [Mr. CANNON].

Imports comprise a substantial number of guns coming to this country. In 1964 almost 600,000 rifles and handguns were imported into this country. Does it mean that they are bad if they come from some other country? If there is something unsafe about them, let us say so, and let us say the same thing about guns manufactured in Massachusetts or Connecticut or Illinois, but let us not say that imports are the trouble because of the American desire to take care of all our problems by passing a few laws. We already have a law on this subject. It is section 414 of the Mutual Security Act, under which law the Secretary of State has been delegated control over imports from foreign countries. Why has not that authority been exercised, if these imports have been an evil? The other points stated by the Senator from

Massachusetts will be treated later, but I commend him for his interest in this subject.

I now yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I want to take this opportunity to associate myself with the remarks of the distinguished Senator from Nebraska [Mr. HRUSKA], and to congratulate him upon the position he has taken on the subject of firearms control legislation. In addition, I would like to add some thoughts of my own if the distinguished Senator would be kind enough to yield me time for that purpose.

Mr. President, the recent tragic occurrence on the campus of the University of Texas in Austin has resulted in an all-out drive for legislation which is at best only tangentially related to that crime. Almost before that tragedy had ended, the call went out from the usual quarters demanding that Congress enact a restrictive and burdensome Federal firearms measure which would apply alike to the criminal and the law abiding, to the mature and the immature, to the sane and the insane. While it is true that firearms were the instruments of death used on the campus of the University of Texas that day, the particular bill which Congress has been besieged to enact, S. 1592, although greatly restrictive, would not have prevented that tragedy from occurring even had it already been on the books.

Many highly placed, responsible public officials have made the same observation. The Honorable John Connally, Governor of the State of Texas, who has himself been the victim of a sniper's bullet, has expressed his doubt as to the effectiveness of a law that could be circumvented by a criminal intent upon his crime. President Johnson, while calling for the enactment of the strict legislation, admitted that the bill would not prevent the recurrence of such tragedies.

Why, then, the sudden insistent urgings for the adoption of S. 1592? The only conclusion which can be drawn is that this tragic event provides a focal point which can be taken advantage of in securing firearms control legislation. Nevertheless, a calm and dispassionate evaluation convinces that people, and not guns, are the problem. A gun can be used for good or for ill, depending upon the disposition of the individual involved. This point is driven home in an editorial whch appeared in the Greenville News of Greenville, S.C., on August 4, 1966. I ask unanimous consent that this editorial, entitled "It Is People Who Kill, Not Guns," be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. THURMOND. Mr. President, further evidence as to the usefulness of firearms is hardly required. I am sure that every Member of this body will admit that there are occasions when firearms, of any nature, can be used for the preservation of life or liberty, as contrasted with the destruction of life. This point is made very well in an editorial that appeared in the State, of Columbia, S.C., on June 16, 1966. This particular editorial, entitled "Self-Defense, 1966," deals with the brutal slaughter of the eight student nurses in Chicago and makes the cogent observation that "one gun, and one girl with the capacity and courage to handle it could have provided protection." I ask unanimous consent that this editorial also appear in the CONGRESSIONAL RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. THURMOND. Mr. President, there are, of course, many State and local restrictions upon the sale, purchase, and possession of firearms. Logic and experience have proved the necessity for preventing firearms from falling into the hands of those who are most prone to commit criminal acts or negligent acts which result in injury or even death. I have in the past supported and will continue to support reasonable congressional action in this field. My views on this issue have been a matter of public record long before the present push for unreasonable congressional control of firearms was given its impetus by the events in Austin. In my Report to the People of June 14, 1965, entitled "The Right To Bear Arms," I made the following observation:

> In recent years, particularly, State laws on sales of firearms have been increasingly circumvented by mail order sales of weapons. Dealers in weapons located outside State boundaries often do not comply with State laws restricting sales. Guns have been sold through the mail to children, persons of unsound mind, and people with long criminal records. Some irresponsible mail order merchants sell with impunity to anyone who has the price, since they do not have to obtain a license in the State where the purchaser lives, and are beyond the reach of criminal laws of the State to which the gun is shipped.
>
> Although Congress has no authority to prevent people from buying and owning firearms, it does have the power to regulate interstate commerce, and can remedy the situation without overstepping its constitutional authority.
>
> Congress can make it unlawful to ship firearms in interstate commerce unless the sale is consistent with the law of the State to which the weapon is shipped. This can be accomplished by requiring the seller to obtain from the would-be purchaser a sworn statement that the buyer is not prevented by the law of his home State from purchasing the weapon. This should be coupled with a requirement that the seller, prior to shipping the weapon, send a copy of the sworn statement by registered mail to the chief law enforcement officer of the area in which the would-be purchaser lives. Failure of the seller to comply would be a Federal criminal offense. These are essentially the provisions of S. 14, a bill I joined in sponsoring earlier this year.

Mr. President, I ask unanimous consent that this newsletter in its entirety be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

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

(See exhibit 3.)

Mr. THURMOND. Mr. President, there are many considerations which weigh heavily against the adoption of S. 1592. The most important of these, of course, is the second amendment to the Constitution, the pertinent portion of which provides that "the right of the people to keep and bear arms, shall not be infringed." By no means last on the long list of considerations weighing against congressional approval of S. 1592 is the necessity for marksmanship training of our youth who are subject to service in our Armed Forces.

Many people argue that the advent of nuclear devices has replaced any military necessity for rifle training or the use of small arms in modern warfare. Our commitment in Vietnam testifies daily as to the short-sightedness of such ideas. Marksmanship training is an essential element of our national defense. The ability to shoot a rifle well and with confidence cannot be acquired in a few hours of even the most intensive training. There is ample evidence provided by both recent and past history of the futility of committing to battle infantry troops who are not well trained and confident in their ability to use their basic weapon. Marksmanship training requires gradual learning under competent instruction and once acquired must be practiced if it is to be maintained. The development of new weapons has increased rather than diminished the need for the individual soldier to rely upon the weapon with which he is armed personally.

Since our military organization is based upon the concept of a professional establishment no larger than necessary to meet normal, peacetime requirements, it must be reinforced in time of emergency by a citizen army. Four times within the memory of many of us now living, the United States has sent such citizen armies into war. To be ready for combat the Armed Forces must be ready for a general mobilization which involves the rapid induction of millions of citizens. Training these civilians in all subjects that a modern soldier must master is a herculean task. So long as our young men are expected to do a soldier's job with a soldier's skill when necessity calls, there is an imperative need for civilian marksmanship training.

Since 1903, this program, so vital to the National Defense Establishment, has been the primary mission of the National Board for the Promotion of Rifle Practice. The program is administered by the Director of Civilian Marksmanship of the Department of the Army. It is a volunteer program sparked by a spirit of patriotism and a firm belief that the individual skills which have made America free and strong remain vitally important to our defense and security.

Some critics of this vital program maintain that there is no need to provide marksmanship training facilities for other participants in the program who are ineligible for actual military service because of age or other factors. The purpose of training these individuals is not to provide for a citizen army to forestall the invasion of our shores by foreign forces, but to have available for the use of our Armed Forces a group of highly trained civilian marksmanship instructors to supplement the number of military instructors in the event of the national mobilization of our Armed Forces as did happen in World War II.

In keeping with its continuing efforts to modernize the Military Establishment, the Department of the Army, in May of 1965, engaged the services of Arthur D. Little, Inc., a private industrial and management research firm in Cambridge, Mass., to completely review the civilian marksmanship program as to its effectiveness in training procedures and results. The firm was requested to make recommendations as to the necessity for such a program and its possible implementation. I think a brief summary of the findings of the Little company report are of interest.

The results of our study indicate that the Civilian Marksmanship Program . . . contributes significantly to the development of rifle marksmanship proficiency and confidence in the ability to use a rifle effectively in combat on the point of those who participate in the program or benefit indirectly from it.

We believe that those aspects of the DCM Program which relate to the broader interest and participation in rifle shooting among the youth of our country (primarily club activities) should be emphasized more and pursued even more effectively to reach a greater percentage of those young men likely to enter military service.

Mr. President, the results of this study indicate clearly that a continuation and implementation of this program is necessary for the defense of our country. The facts revealed by the study must be kept in mind by the Members of this body during the consideration of any Federal firearms legislation. Not only does the study list the importance of the continuation of the National Board for the Promotion of Rifle Practice program for civilian marksmanship, but also stresses the need for continued marksmanship training of individuals subject to service in our Armed Forces including those people who are not members of DCM Clubs.

I am not advocating the free and unfettered accessibility of firearms. I wish only to urge that the importance of this program to the Nation be kept in mind in the consideration of any firearms legislation. No such legislation should be enacted which would curtail severely the program itself or tend to discourage future participation.

EXHIBIT 1

[From the Greenville News, Aug. 4, 1966]

IT IS PEOPLE WHO KILL, NOT GUNS

The horrible mass slayings of recent weeks, particularly the University of Texas massacre, has raised again the cry for federal anti-gun legislation. President Johnson is leading the pack, followed, of course, by Senator DODD, chief sponsor of highly-restrictive gun laws.

The chief argument of the anti-gunners is that federal restrictions on sales of guns will keep dangerous weapons from the unlawful and unhealthy people who use them against ordinary citizens. At first blush this sounds reasonable.

It is far from reasonable, however.

In the first place this easy argument ignores the fact that it was the urge to kill, rather than the urge to shoot which set off the mass murders of recent days. In the Texas case it was discovered the killer had a brain tumor, and a psychiatrist said the young man told him months ago of his urge to mount the university tower and shoot people.

This was an obvious case of mental derangement in which the affected person had an urge to kill people. In fact he apparently used a knife to do in one of his victims.

Had he not had a rifle, his deranged mind undoubtedly would have turned to other channels of destruction, perhaps even more horrible. He could have used homemade bombs, for instance. They are easy to produce and to use on great numbers of people.

The anti-gun theory, therefore, would make it logical to outlaw sale of items which go into homemade bombs and of kitchen knives. These things are as deadly as guns in the hands of unstable or criminally-inclined people.

There is another objection to the employment of anti-gun legislation. It simply does not work. It serves rather to disarm decent people, who sometimes need guns for self-protection, while failing to keep them from the criminal element.

New York State is a prime example of the failure of anti-gun laws. There the infamous Sullivan Act makes it illegal even to own a gun. Law-abiding people are disarmed. The unlawful continue to carry weapons which they use to terrorize the disarmed decent citizenry.

Just recently three young hoodlums carrying guns, terrorized 15 persons in a Bronx luncheonette for three and a half hours, even holding policemen at bay.

Where was the Sullivan Act in this case?

It was on the side of the hoodlums, that's where. They knew they could work their evil wills on the people in the luncheonette because they were armed and knew the others were not. Chances are the young punks would have steered well clear of the place if they had any idea a responsible person inside was armed to resist them.

So will it be with people throughout America, if highly-restrictive gun legislation gets on the federal statutes.

The anti-gunners probably will argue that federal anti-sales laws will stamp out traffic in guns all over the nation, thus working where state law cannot work.

Not so. A great many people, including a great many criminally-inclined people, know how to make cheap guns. Passage of restrictive nationwide legislation will serve only to drive gun dealing underground. The criminal element will continue to be armed, and armed well. The law-abiding element will be disadvantaged.

There is but one way to deal with guns in a free country. That is to make all misuse of guns a crime, punishable by penalties stiff enough to command respect and backed to the hilt by law enforcement and court action.

It is people, not guns, who kill people.

In the case of the Texas killings, a competent doctor had evidence of the killer's potential danger. His failure to protect society from the danger is more at fault than the lack of a federal anti-gun law. Here was a case in which the symptoms should have been recognized and the sick man isolated before he could destroy innocent people with his diseased mind.

Passage of federal guns laws will not stop mass slayings. Laws dealing with criminals and insane use of guns—and all other lethal weapons—will help.

EXHIBIT 2

[From the Columbia (S.C.) State, July 16 1966]

SELF-DEFENSE—1966

Just one gun could have made the difference between life and death for the eight student nurses who were brutally slaughtered this week during a terror-filled Chicago night.

One gun, and one girl with the capacity and courage to handle it, could have provided protection for eight nurses who now lie dead in Chicago. The blame is not Chicago's, for similar madmen and murderers have butchered helpless victims in towns and cities all over America. But in far too many instances, the butchery has been made easier by local ordinances which prevent the law-abiding citizen from owning so much as a pistol for defense.

The blame rests upon a society grown so soft that the criminal is coddled by the courts, pampered by social reformers, and feared by the ordinary citizen. Convicted felons are turned loose on the populace by indulgent judges. Criminally insane patients simply walk away from treatment centers. Young punks are slapped on the wrist and released from custody because of their youth—as though adolescent mad dogs are not as deadly as older ones.

The police can do only so much. In Chicago, even as the nurses were living out their final hours in mortal dread, the police were battling to preserve law and order—and, indeed, their very lives—against the onslaughts of rioting Negro mobs.

So it goes over the face of America. A thin blue line of undermanned police seeks to protect society against criminal elements which daily grow bolder. It is not just in Chicago and New York and Philadelphia—it is here in Columbia, and in Charleston and everywhere.

Unless and until the politicians, from President Lyndon Johnson on down, stop tolerating—if not actually inciting—public disturbances and disregard for local laws, the situation will get worse.

Sooner or later, the people of the United States must awaken to the threat which is literally at their doors. They must insist upon law and order, and they must provide both financial and moral support to the forces of law and order.

In the meanwhile, the rules of common sense and the law of self-preservation require that the common man provide some measure of protection for himself and his household.

It is fantastically ironic that the law of the jungle should have to be applied in the age of space exploration and nuclear energy, but human nature still involves inhuman conduct. And so long as the social forces are tipped in favor of the criminal, the private citizen has every right to equalize the balance with that proved equalizer—the lawful gun.

EXHIBIT 3

THE RIGHT TO BEAR ARMS

(By STROM THURMOND, U.S. Senator from South Carolina)

JUNE 14, 1965.—The Second Amendment to the Constitution (the second item in the Bill of Rights) provides that "the right of the people to keep and bear Arms, shall not be infringed."

Increasing crime rates across the country, and particularly in the cities, has provided fuel for a determined movement to have the National Government legislate restrictions on the sale and transportation of firearms in interstate commerce.

The prohibitions of the Second Amendment to the Constitution are directed against the National Government, but not against the States. The people of each State, therefore can regulate the sale of firearms without running afoul of this Constitutional provision.

Most of the States have laws designed to prevent firearms from being sold to juveniles, insane persons, and people with criminal records. The State laws vary in strictness and enforcement, according to the needs of each State. New York, for instance, requires that a person apply for and be granted a permit from the State as a prerequisite to purchasing or possessing a gun. In most States, however, control over gun sales is exercised by licensing the merchants who sell firearms, and by requiring the sellers to adhere to the law in order to keep their licenses.

In recent years, particularly, State laws on sales of firearms have been increasingly circumvented by mail order sales of weapons. Dealers in weapons located outside State boundaries often do not comply with State laws restricting sales. Guns have been sold through the mail to children, persons of unsound mind, and people with long criminal records. Some irresponsible mail order merchants sell with impunity to anyone who has the price, since they do not have to obtain a license in the State where the purchaser lives, and are beyond the reach of criminal laws of the State to which the gun is shipped.

Although Congress has no authority to prevent people from buying and owning firearms, it does have the power to regulate interstate commerce, and can remedy the situation without overstepping its Constitutional authority.

Congress can make it unlawful to ship firearms in interstate commerce unless the sale is consistent with the law of the State to which the weapon is shipped. This can be accomplished by requiring the seller to obtain from the would-be purchaser a sworn statement that the buyer is not prevented by the law of his home State from purchasing the weapon. This should be coupled with a requirement that the seller, prior to shipping the weapon, send a copy of the sworn statement by registered mail to the chief law enforcement officer of the area in which the would-be purchaser lives. Failure of the seller to comply would be a Federal criminal offense. These are essentially the provisions of S. 14, a bill I joined in sponsoring earlier this year.

The National Government should not go beyond its Constitutional authority by attempting to prevent mail order sales of weapons. Such an excess is not needed, and it could do much harm.

In many States, the people feel strongly that law-abiding, sane adults should be permitted to own firearms. If the National Government prohibited the sales of firearms, law-abiding citizens would not purchase weapons. Criminals, already intent on lawbreaking, would not hesitate to obtain firearms illegally, for with law-abiding citizens un-armed, a gun in the hands of a criminal would provide the lawbreaker with a bigger advantage than when all persons could obtain firearms legally. In addition, it is reasonable to assume that would-be criminals would become much bolder if the possibility were eliminated that law-abiding intended victims might be armed.

The Congress should enact legislation to insure that State laws regulating the sale of firearms are obeyed by those selling guns in interstate commerce. It is just as important, however, for Congress to obey the Constitutional mandate that "the right of the people to keep and bear Arms, shall not be infringed."

Sincerely,

STROM THURMOND.

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

Mr. THURMOND. I am pleased to yield to the able Senator from Colorado.

Mr. ALLOTT. Mr. President, I wish to compliment the distinguished Senator from South Carolina on the able speech he has just made, and to congratulate the distinguished senior Senator from Nebraska on his very able speech and analysis of the problems involved here.

I know it is very difficult, when you consider some of the things that have happened in the last few weeks, not to go on an emotional binge and think thereby that you are going to cure some of the problems. I noticed, in the remarks of the Senator from Nebraska, his statement that privately owned and used firearms are still beneficial.

If the Senator from South Carolina will bear with me for a moment, I think he made an excellent point in his remarks about the Chicago situation and the girls who were murdered there, that if one of those girls had had a firearm and had known how to use it, we might not have had that tragic circumstance happen.

I recall that within my own office, and very close to home, just 2 years ago this spring, Miss Joyce Morgan, one of my secretaries, had her own apartment invaded, about 4 o'clock in the morning, and was robbed.

Fortunately she was a girl of great courage, but more fortunately still, her father had, the previous fall, purchased a Woodsman .22 for her, and had also instructed her in its use. So when this person entered her apartment about 4:30 or 5 o'clock in the morning, and she discovered that someone was in her dressing room, picked up her gun and, with a well-placed shot, convinced him that he ought to give himself up, which he did. She was then able to hold him at bay until police arrived.

The fact that the court procedures were such that he was released on his own recognizance and back robbing another apartment within 2 weeks is another story. But nevertheless, the fact is that we do not know what might have happened to her had she not been in the possession of a gun and able to use it.

Along these same lines, I think a section of the Colorado statutes is very significant. Chapter 53, article 4, of the Colorado Revised Statutes of 1963, deals with the question of insurrections and the prohibition of firearms.

Section 1 of that article prohibits the use of firearms when a state of emergency or riot or insurrection has been declared by the Governor.

Section 3 is a very significant section. The title is "Constitutional Rights Preserved."

The section reads:

Nothing in this article shall be construed so as to call in question the right of any person to keep and bear arms in the defense of his home, person, or property, or in aid of the civil power when thereto legally summoned.

Thus, the State of Colorado has spoken quite clearly and unequivocally about what it deems to be the right of an individual citizen to bear and possess arms.

The point of the Senator which he discussed at some length, concerning the knowledge of how to use firearms, is entirely correct. None of us contend that dangerous weapons should be shipped indiscriminately, nor do we contend that these weapons should land in the hands of psychos and people who are mentally incompetent.

The recent Texas disaster is probably the best illustration of what we cannot do to govern these situations because, by any criteria which we would have established, the young man who went beserk in Austin, Tex., would have probably qualified for the ownership of the guns. So, we are in the process here of trying to evolve legislation which is sane and sensible but which will not deprive people of what I consider to be one of my inalienable and basic rights—and many other Americans do also—the right to own, possess, and use firearms in defense of my own person and property, especially in this day and age, and particularly in Washington and some of our larger cities. However, it is certainly true in Washington in which city we have a jungle, and nothing less than a jungle.

Those predators of other human beings, both by way of physical violence and by way of deprivation of property, robbery, and so forth, must be curbed. However, they will always find a way to buy a gun. This would be no problem. It is like in the days of prohibition when we tried to stop the manufacture and sale of liquor. We discovered then that we could not do it.

We cannot now stop people from possessing guns. Particularly, we cannot keep those who have an intent and design to do so, from collecting guns and having them.

Are we going to be at the place where we deprive people who must protect their lives and property rights from having guns, bearing them, and knowing how to use them for the protection of their own lives and the lives of the members of their family and for the protection of their property?

If the American citizens are not permitted to do this, then this country cannot call itself a civilized country, at least not until we have learned to protect our citizens in their homes and on the streets.

Does the Senator agree?

Mr. THURMOND. Mr. President, I certainly agree with those remarks. I thank the able Senator for his kind remarks concerning the Senator from South Carolina.

I commend the Senator for the splendid contribution he has made on this subject this morning.

I thank the able Senator from Nebraska for yielding to me.

I again congratulate the Senator from Nebraska for the outstanding contribution he has made here today.

Mr. ALLOTT. Mr. President, I join in that commendation.

Mr. HRUSKA. Mr. President, I am grateful to both Senators for their contributions.

I yield to the Senator from Nevada.

Mr. CANNON. Mr. President, I thank the Senator from Nebraska for yielding to me. I commend him for his very objective and well-reasoned statement on this subject. It is a statement that is void of emotionalism. I believe that is what is required in such circumstances.

I know that Senator HRUSKA is second to none in his desire to encourage sound legislation at the appropriate level of government which might be effective in discouraging crime without overregulating law-abiding citizens. I certainly share this view. I hope and believe that this is the type of action that our President has recently called for.

But the confidence of both Houses of Congress has been somewhat shaken by the specific proposals put forward by the administration—S. 1592 in the Senate. A careful reading of the hearings

before the Juvenile Delinquency Subcommittee of the Senate Judiciary Committee discloses fundamental and serious defects in that bill, which have not, as I understand it, been corrected in the version sent to the full Senate Judiciary Committee.

The Senator has previously pointed out that many modifications have been made in line with the suggestions of the distinguished Senator from Nebraska as amendments to a bill that we favor.

The chairman of the Senate Commerce Committee made it clear some time ago that his committee would review those features of S. 1592 which raise questions about interstate and foreign commerce.

The chairman of that committee, the senior Senator from Washington [Mr. MAGNUSON], said:

> I think the Committee would be derelict in its responsibility to report out legislation which would mislead the public into believing that the problem had been solved when in fact it had not. A nation aroused and demanding effective control because of the tragic event of the recent past would become complacent. The public's voice should not be quieted and their demands should be directed to their State legislatures. This is where the responsibility belongs, where it constitutionally lies and the only place where there can be effective and meaningful control.
>
> The Committee intends to explore this problem thoroughly. Every avenue of solution will be studied. But the solution must not be one conceived in hysteria, born of ignorance intended to foster complacency and destined to futility. The solution must be total, not partial. It must be dictated by the voices of reason not emotion. It must to the extent practical, prevent the possession and use of firearms by the irresponsible, but in so doing should not unduly inconvenience or burden the responsible.

This is reassuring because there appears to be unnecessary interference and discrimination in this bill in dictating what can be bought and sold and how. The shocking crime in Austin, Tex., should not stampede the Senate into an ill-considered exercise of police powers by the Federal Government under the guise of regulating interstate commerce. There are fundamental issues of good government posed by this bill, and I for one am not satisfied that they have been carefully considered.

To illustrate my point, I find that section 3(e) of the bill gives broad discretion to the Secretary of the Treasury to embargo imports, if he thinks that they are not "particularly suitable for sporting purposes," or if he finds them unsafe, or for other ill-defined reasons. If we are to move from automobile to guns for the purpose of reducing accidents by improving safety features in the mechanisms, it should be done without discrimination between imports and domestic products, and it should be done after the most careful study and testimony from all concerned to establish that there is a problem and an acceptable way to correct it. No such testimony was taken during the hearings.

Is an anticrime measure an appropriate instrument to enter the area of international trade, with its delicate treaty and other ramifications? I think not. Crime control legislation should not be colored by trespassing on consumer preference for identical type products simply because of geographical source.

Surplus military rifles imported from abroad have established a wide market in the United States among those who cannot afford a new rifle for hunting and target practice or those who like to collect guns or work on them. The hearings show that an estimated 2 million Americans have expressed a legitimate buyer's preference for this item over the last 10 years.

Until recently, S. 1592 embargoed imports of these rifles along with all military surplus. I understand that it now would limit the embargo to surplus handguns and would let in the rifles. However, at last printing, it injected a new discrimination and Federal dictation to the American buyer by prohibiting mail-order sales of surplus rifles. Virtually identical new and second-hand, bolt-action rifles made in the United States are not subject to this ban.

The logic of this assortment of Federal prohibitions escapes me.

There are other interstate commerce features of this bill which require further introspection as to their compatibility with constitutional and practical direction.

These features can properly be considered by the Commerce Committee at such time as final action on S. 1592 is taken by the Judiciary Committee.

I support fully the objective of keeping deadly weapons away from mental incompetents, juvenile delinquents, and other irresponsibles.

However, we must insure that we do not pass legislation that would cause undue hardship to hunters, target shooters, collectors, and other responsible Americans who have done nothing to compromise their rights to obtain firearms.

I am convinced that reasonable, responsible legislation can be drafted and enacted to help prevent the acquisition of deadly weapons by undesirable elements.

But, to pass such legislation, we must act in an atmosphere of thorough study and thoughtful consideration—not in one of emotionalism.

I believe that the statement of Senator HRUSKA is a positive step toward establishment of the sober and unemotional atmosphere we need, and I applaud his efforts.

Mr. TOWER. Mr. President, whenever tragedy occurs, it is natural for men to seek means to avert its reoccurrence by removing the cause of the tragedy. It is natural, and it is good, for men to try to abstract from the fabric of the incident the factors responsible for the original misfortune. It is thus that man improves his environment and the individual lives of the members of society.

No well-meaning person could fail to have been moved by the tragedy which took place several weeks ago in the capital city of my own State. Men of good will over the entire Nation were shocked and deeply saddened by the terrible misfortune in Austin, and many persons were spurred by the incident to consideration of ways to try to stay a repetition of the tragedy.

I am concerned, however, Mr. President, that there is danger that in our very worthy desire to avoid a repetition of this and other criminal tragedies we will strike not at the root and cause of the calamity but at a single secondary attribute: the weapon involved.

It has been truly said, Mr. President, that guns do not kill people, criminals do.

I am sure that there is not a gentleman in this distinguished body who has not given serious consideration to the problem of the increase in violent crimes in the United States. I am sure that every one of my distinguished colleagues has at one time or another been troubled by current crime statistics, and each has sought an answer to the problem of mounting violence. But, I submit that the longrun solution to the problem lies in increased assistance to and improved facilities for law enforcement officers, in objective, effective programs of research into the nature of mental health and of identification of mental diseases, especially criminally oriented disorders, and of possible treatments.

My support of legislation to assist professional law enforcement personnel in the Federal Government, and in State and local governments is well known. I supported wholeheartedly the Law Enforcement Assistance Act of 1965. The act allows the Department of Justice to engage in programs of educational assistance for local and State law enforcement officers.

It is my hope, and I believe that this is being proven, that the act will be used as a springboard for further institutionalizing law enforcement as a profession. Indeed, Sam Houston State College, in Texas, already has applied for financial assistance under the act to institute a degree program in law enforcement as a profession.

Other legislation has been introduced in the Senate to set up a nationwide communications network for law enforcement purposes. I support this legislation. The business of apprehending criminals, like so many other businesses, is being transformed by the constant development of scientific techniques, not the least of which is improved methods of high-speed communications. The bill to fight lawlessness by improved communications facilities has my wholehearted support.

I am convinced that significant contributions to crime prevention can be made through enactment of legislation aimed at research into the causes of criminal motivation. I do not profess to know any more about the nature of psychoneurosis than anybody else.

I do know, however, that we have a great deal to learn about mental disorders and their proper method of treatment. Incidents such as the recent tragedy in Austin focus attention on psychoneurosis as a cause of crime. I do not know if there are any really reliable statistics available—I would doubt that there are, due to the complexity of the problem—on the ratio of crimes committed as a result of mental disorders in

relation to those committed by supposedly sane persons. There is a problem of definition involved. I believe, however, that crimes committed by the criminally insane, if I may use that concept, are significantly fewer than those committed by persons in control of their actions.

I make these observations, Mr. President, in support of one very important point which I wish to make. Although I do not profess to know all of the proper methods of treatment for persons with criminal backgrounds, I do know that excusing their actions, imposing punishments too light to fit the nature of the crime, and blaming the individual criminal's action on "society" is not the proper way to meet the problem.

Men must be held accountable for their actions, Mr. President. We do a great disservice to the individuals involved, both the felon and the victim—and to society—when we do not impose proper punishment on the agent of the crime.

Not only is it wise that criminals be removed from society for a duration to protect innocent persons, but punishment may constitute the only warning signal of the impropriety of his actions that the young criminal may have.

We hear a great deal today about the responsibility for crime lying on the doorstep of every American except at the doorstep of the criminal. It is argued that the criminal is the product of his environment, his genes, his upbringing, and other factors ad infinitum. That, being the prisoner of his history, the criminal is not responsible, but that society, in not furnishing him with favored circumstances, is somehow solely accountable.

I do not believe this theory, Mr. President.

Neither do I believe in legislation which would in effect punish those law-abiding members of our society who want to purchase, own, and use guns for sport. Their actions are blameless. It is unfair and it is folly to deny them their rights to purchase and use firearms.

If we are to pass Federal legislation aimed at curtailing the distribution of firearms, I could support specific legislation aimed at keeping firearms from the possession of felons and minors.

I think this is as far as we can justifiably go in this direction at the Federal level. I oppose all proposed legislation which would impede the sale and distribution of firearms for sporting purposes. I believe the States are better judges of their requirements than the Federal Government.

Americans have a constitutional guarantee which we must fully observe in considering this legislation. I will not support, and I hope the Senate does not see fit to enact, legislation which would abridge the right of the people to keep and bear arms.

Mr. FANNIN. Mr. President, I wish to commend the distinguished Senator from Nebraska for his calm and studious appraisal of pending legislation to severely restrict the sale and shipment of firearms.

He has performed a valuable public service by placing this subject in proper perspective, and I concur strongly in his remarks.

Emotional hysteria among some segments of the public inevitably follows a shocking act of violence. The reaction is understandable but rarely logical or constructive.

The constitutional and practical arguments against S. 1592 remain as strong as ever. They have not been changed or eliminated by what happened at the University of Texas.

In our sympathy for the victims and their families, let us not delude ourselves with the proposition that curtailing the citizen's right to buy arms for legitimate purposes will prevent or even reduce the rate or assault and murder.

No law could have prevented a mentally disturbed student from turning suddenly into a mass killer. We must keep this fact in mind as we consider legislation to impose stringent regulations on the acquisition of firearms in our country.

Our experience with more restrictive regulation at the State level points to the contrary. The official abstract figures show that the incidence of homicide with a gun per 100,000 population is generally higher in those States with more restrictive laws than it is in States with few restrictions.

Mr. President, I sincerely believe that S. 1592 poses a serious question of infringement on the second amendment. But even if no constitutional issue existed, there are many other reasons to reject this bill.

All of us recognize that a major problem in the field of firearms control arises from the dumping of surplus foreign military weapons on the market. The number of rifles and pistols entering our own domestic market channels from this source has greatly increased since World War II.

This flow of weapons could be limited or even prohibited by the executive branch without any new law. The authority exists under the Munitions Control Act. Why not use the power we already have to crack down on this flood of foreign arms?

The National Rifle Association and many other organizations have expressed support of executive action under the existing statutory authority. But nothing has been done.

In our testimony before the Judiciary subcommittee last year, both the senior Senator from Colorado and I noted the economic hardship and public inconvenience that would result from the blanket mail-order prohibition and fee increases called for in S. 1592.

In my own State of Arizona, more than 150,000 residents and visitors annually participate in some kind of hunting activity. They make a substantial contribution to effective management and continued development of our game resources.

They are assisted materially by the fact that many small retail establishments stock guns and ammunition. Many of these stores are in isolated communities far removed from the nearest other source of supply, and this same situation prevails in many of our Western States.

The drastic license fee boost in S. 1592 would place an unfair burden on these small establishments and many of them would simply have to stop selling guns and ammunition.

Even harder hit would be the many custom gunsmithing shops throughout the Nation. We have more than 20 such shops in Arizona. They are generally small independent operations which depend on mail shipments for much of their business.

The cumbersome machinery required by S. 1592 would unjustly penalize the rancher or sportsman who wanted to buy a particular weapon from outside his own State—but it would not deter any persons with criminal intent from obtaining a gun anywhere.

There are reasonable alternatives to S. 1592 which many in Congress, including myself, would support. For one thing, we could make it a Federal offense to ship a firearm in interstate commerce to any individual in violation of the law of the State where he lived. This is what the President said he wanted earlier.

Combined with executive action to retrict importation of surplus foreign weapons, this kind of approach would accomplish the major objective of S. 1592 without any of its demerits.

Additionally, I believe there is widespread public and law enforcement agency support for legislation to stiffen the penalties for crimes committed with a firearm. Surely our law enforcement personnel could use another tool in their battle against crime.

There is a final point I want to mention because I believe it deserves discussion and exposure.

Many Americans of unquestioned decency and responsibility are disturbed by what they feel is a campaign that sets the stage for registration of all arms.

Extremist groups are not alone in reading the lessons of history which show a pattern in the subversion and ultimate takeover of free countries elsewhere. Arms registration and eventual confiscation have been prime elements in that pattern.

One of the most respected clergymen in my State commented on this in a recent article. He said—and I quote him:

> It strikes only at the honest man, and will ultimately guarantee the enemies of our country disarmed victims. Every invasion of the citizen's right to keep and bear arms, in fact, merely emboldens and protects the criminal.

This is the heart of the matter—the criminal and the criminally inclined, not the weapon used.

Mr. President I refer to my State of Arizona for the comments of a law enforcement officer.

Paul Blubaum, Phoenix chief of police, commented, following the Texas mass murders:

> Penalties for crimes committed with firearms should be greatly increased. Heavy fines and jail sentences would be the most effective control.

All regulation and restriction laws have been failures. Registration does not seem to be the answer to cutting down crimes with firearms. States with strict gun laws restrict the hunter and gun enthusiasts from continuing their hobbies, but criminals still find ways to gain weapons.

I personally believe that no firearms control device would be successful.

Chief Blubaum attributes the 7-percent reduction in the crime rate in Phoenix and Maricopa County since he took office to increased citizen cooperation with police and continuing efforts to encourage respect for law and order.

The claims by antigun propagandists, such as writer Carl Bakal's book, "The Right To Bear Arms," are refuted by the cold facts in the Statistical Abstract of the United States.

Compiled from national crime and accident reports and health department reports, these figures reveal there has not been a great increase in deaths from firearms. In fact, the figures through 1962 show a decline in relation to population.

The number of homicides per 100,000 in 1950 was 5.3, but in 1962 it fell to 4.9. Factually, the total number of homicides in 1930 was 10,473 and in 1962 it was 9,013.

The official figures also show that the number of homicides involving the use of guns declined from a total of 6,995 in 1930 to 4,954 in 1962.

The incidence of homicide with guns per 100,000 in the northwest region was 1.6 in 1962. It was 2.7 in the Midwest. Both areas have relatively few restrictions.

By comparison, the figure for more restrictive Middle Atlantic States was 3.2.

Newspapers throughout our Nation daily record instances where citizens have used their legally acquired firearms to defend their lives or property from would-be murderers and armed robbers. Obviously it is impossible for the police to be everywhere when they are needed.

How can we justify imposing a burden on the salesman or shopkeeper when the criminal element will continue to roam armed with weapons of all types?

In my judgment, Mr. President, Congress would serve the people far better by concentrating on measures to combat our rising crime rate than it would by enacting punitive legislation that would damage the trustworthy and law-abiding citizen in the name of firearms control.

OBJECTION TO COMMITTEE MEETINGS

Mr. INOUYE. Mr. President, I ask unanimous consent that the Subcommittee on Executive Reorganization, of the Committee on Government Operations, be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Is there objection?

Mr. HICKENLOOPER. Objection.

The PRESIDING OFFICER. Objection is heard.

Mr. INOUYE. I ask unanimous consent that the Labor and Public Welfare Committee be permitted to sit during the session of the Senate today.

Mr. HICKENLOOPER. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HICKENLOOPER. I may say to the Senator from Hawaii that I am objecting by request. It is not a personal matter.

Mr. INOUYE. I understand.

Mr. President, I ask unanimous consent that the Subcommittee on Intergovernmental Relations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Is there objection?

Mr. HICKENLOOPER. I object.

Mr. INOUYE. Mr. President, I ask unanimous consent that the Subcommittee on Agricultural Credit and Rural Electrification of the Committee on Agriculture and Forestry be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Is there objection?

Mr. HICKENLOOPER. Mr. President, I object.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1967

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, in accordance with the unanimous-consent agreement previously entered, the Chair lays before the Senate the unfinished business, which the clerk will state by title.

The ASSISTANT LEGISLATIVE CLERK. An act (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes.

The Senate proceeded to consider the bill.

THE AIRLINES STRIKE

Mr. MORSE. Mr. President, this morning in the New York Times there is an editorial entitled "Up and Up On the Airlines." This editorial expresses completely the point of view that I hold in regard to the airline dispute.

We can take judicial notice that the settlement of the airlines dispute, whatever its terms may prove to be, is highly inflationary. I am satisfied that it will prove to be in the long-time bad interests of the strikers. It is bound to be in the worst possible interest of American labor as a whole, and of our economy. It will be viewed with anything but approval, I am sure, by the thousands of fellow Americans who are on pensions. The resulting inflation, if this settlement becomes the pattern for future wage settlements will weaken the purchasing power of the American dollar and reduce thereby the purchasing power of all fellow Americans now trying to exist on social security benefits and private pensions. These fellow Americans cannot strike against the public for higher benefits as airline strikers have done and other unions are threatening to do if their inflationary wage demands are not ratified. Old age pensioners cannot use economic coercion to force granting to them cost-of-living escalator clauses.

Unorganized workers will also be the economic victims of the inflationary hurricane that organized labor is threatening to let loose in our country by threatened strikes in the midst of a war.

I wish to repeat what I have said on the floor of the Senate. There never was the slightest justification for this strike in a regulated industry in the midst of a war.

While the House was staggering around in a state of indecision trying to avoid passing legislation, the Government and the carriers saved the Congress from meeting squarely its legislative responsibilities. The administration has become a party to an inflationary settlement of the airline strike. No words of alibi or rationalization on the part of the administration or the carriers, or the union can conceal this surrender to an inflationary breakthrough in this case. There now has been placed on the House and the Senate a clear legislative responsibility, while this war lasts, to pass legislation that will protect all of our people from the exercise of naked economic power on the part of labor, and naked economic power on the part of American industry in letting loose on the American people an inflationary tornado. The selfish interests of labor for excessive wages and industry for excessive prices while American boys are dying in Vietnam are without moral justification. Such inflationary wages and prices take the form of blood money made out of the sacrifices of our fighting men. I am opposed to sending these men to fight, bleed, and die in Vietnam. I am opposed to permitting any economic group here at home making inflationary profits here at home out of the sacrifices of our fighting men in Vietnam. It makes no difference to me if those profits take the form of excessive wages, prices, salaries, dividends, or any other form of economic return. Until this war is ended all of us living in the safety and security here at home should be willing to make whatever economic sacrifices are necessary to hold our economy within inflation controls. Blood money profits cannot be justified on any ground—moral, economic, patriotic, or any other. If we cannot maintain inflation controls through voluntary action on the part of industry, labor, and every other economic group, then legislative controls must be adopted.

In my judgment, the Congress of the United States owes it to the American people to proceed before it adjourns with the passage of necessary inflationary control legislation, both in the field of wages and prices. This administration will make a great political mistake if it tries to duck its responsibility to recommend inflation control legislation, including, if necessary, tax legislation.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial from the New York Times, of August 16, 1966, entitled "Up and Up On the Airlines."

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

[From the New York Times, Aug. 16, 1966]

UP AND UP ON THE AIRLINES

Unless the 35,000 striking airlines mechanics once again repudiate their union leaders, service will soon return to normal on the planes that carry 60 per cent of the country's air passengers. But the agreement under which the strikers will go back to work provides the signal for a dizzying new whirl of wage-price inflation, based on total surrender by the White House and Congress to threats of political blackmail by organized labor.

Unofficial reports indicate that the settlement will provide pay increases averaging roughly 6 per cent a year, or nearly double the Administration's late lamented guideposts. In a real sense, even the figure will probably prove an underestimate because the pact includes an escalator, under which wages will go up as consumer prices rise. With the Government in full retreat in the war against inflation, every other union can be expected to make a similar demand for building inflation into its wage structure in a never-ending, self-feeding spiral. The notion that consumers should ever get a share of rising productivity in the form of lower prices—once a pivotal part of the guidepost philosophy—has vanished unmourned by anyone in either labor or industry.

The most dismal part of the entire spectacle is that the airlines gave in because it was plain that was what everybody in the White House and in positions of power on Capitol Hill wanted them to do. The airlines operate in an industry that is regulated in every phase from fares to safety rules. They went along with the recommendations of a Presidential emergency board that cracked the guideposts. When the union rejected the report they entered into a tentative pact that substantially exceeded those recommendations. In both instances the employers acted on the strong urging of President Johnson.

The strikers' intransigence produced a disgraceful exhibition of buck-passing, in which the Administration and Congress sought to evade responsibility for legislative action to get the planes back in the air while settlement efforts went forward. The imminence of the November elections obviously took priority in Washington's view over considerations of wage-price stability or restoration of essential transportation.

For the airlines the moral was plain: Keep going up until the union leaders felt secure enough to submit a new offer to the rank and file. At one stage in the hectic weekend manipulation Secretary of Labor Wirtz had a few harsh words for the union after it had walked away from an apparent agreement. But that flare-up was settled like all the others—by giving the union more, under the benovelent guidance of Cabinet-level mediators. What any of this has to do with "free collective bargaining" remains obscure, but we expect the customary hosannas will come from all sides when—and if—the pact is ratified.

The first repercussions undoubtedly will be felt in American Airlines, where another Presidential emergency board is dealing with a dispute involving wages for mechanics represented by the Transport Workers Union. It requires little prophetic skill to anticipate that the T.W.U. will insist on getting more than the International Association of Machinists is now being given—and on, and on, and on.

Mr. LAUSCHE. Will the Senator yield for a question?

Mr. MORSE. I yield to the Senator from Ohio.

Mr. LAUSCHE. What is the total amount of wage?

Mr. MORSE. No one knows. It has not been disclosed. That secret, apparently, must not be made available to the American people until there is, first, approval of what I am satisfied is a highly inflationary wage settlement.

Mr. LAUSCHE. Is there any indication of the percentage of raise, as compared with the guidelines?

Mr. MORSE. I have not the slightest idea.

Mr. LAUSCHE. I had heard 8 percent.

Mr. MORSE. I have not the slightest idea.

TRANSACTION OF ROUTINE BUSINESS

Mr. INOUYE. Mr. President, I ask unanimous consent, since there was only a short period for the transaction of routine morning business today, that it be in order to lay before the Senate various communications and Presidential messages, and print in the RECORD various routine matters.

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER 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.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 902) to provide that the Secretary of Agriculture shall conduct the soil survey program of the U.S. Department of Agriculture so as to make available soil surveys needed by States and other public agencies, including community development districts, for guidance in community planning and resource development, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House insisted upon its amendment to the bill (S. 3688) to stimulate the flow of mortgage credit for Federal Housing Administration and Veterans' Administration assisted residential construction; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PATMAN, Mr. MULTER, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. ASHLEY, Mr. WIDNALL, Mr. FINO, and Mrs. DWYER were appointed managers on the part of the House at the conference.

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

H.R. 420. An act to amend title 10, United States Code, to authorize the commissioning of male persons in the Regular Army in the Army Nurse Corps, the Army Medical Specialist Corps, the Regular Navy in the Nurse Corps and the Regular Air Force with a view to designation as Air Force nurses and medical specialists, and for other purposes;

H.R. 5852. An act to amend title 38 of the United States Code with respect to the basis on which certain dependency and indemnity compensation will be computed;

H.R. 9976. An act to amend the act of September 2, 1964;

H.R. 10267. An act to remove time limitations on correction of military records and provide a time limitation as to payments;

H.R. 10747. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Diwamish Tribe of Indians in Indian Claims Commission docket numbered 109, and for other purposes;

H.R. 11488. An act to authorize the grade of brigadier general in the Medical Service Corps of the Regular Army, and for other purposes;

H.R. 12352. An act authorizing the conveyance of certain property to Pinellas County, Fla.;

H.R. 14831. An act to amend the provisions of law relating to the planting of crops on acreage diverted under the cotton, wheat, and feed grains program;

H.R. 15024. An act to amend section 8 of the Public Buildings Act of 1959 to authorize the Administrator of General Services to lease certain property in the District of Columbia;

H.R. 16114. An act to correct inequities with respect to the determination of basic compensation of employees of the Federal Government for purposes of certain employment benefits, and for other purposes;

H.R. 16646. An act to amend title 10, United States Code, to authorize the award of Exemplary Rehabilitation Certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes;

H.R. 16706. An act to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes; and

H.R. 16897. An act to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

S. 3484. An act to amend the act of June 3, 1966 (Public Law 89–441, 80 Stat. 192), relating to the Great Salt Lake relicted lands;

H.R. 11671. An act to approve a contract negotiated with the El Paso County Water Improvement District No. 1, Texas, to authorize the execution, and for other purposes;

H.J. Res. 810. Joint resolution to authorize the President to proclaim the 8th day of September 1966 as "International Literacy Day"; and

H.J. Res. 1207. Joint resolution to authorize the Administrator of General Services to accept title to the John Fitzgerald Kennedy Library, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 420. An act to amend title 10, United States Code, to authorize the commissioning of male persons in the Regular Army in the Army Nurse Corps, the Army Medical Specialist Corps, the Regular Navy in the Nurse Corps and the Regular Air Force with a view to designation as Air Force nurses and medical specialists, and for other purposes;

H.R. 10267. An act to remove time limitations on correction of military records and provide a time limitation as to payments;

H.R. 11488. An act to authorize the grade of brigadier general in the Medical Service Corps of the Regular Army, and for other purposes;

H.R. 16646. An act to amend title 10, United States Code, to authorize the award of Exemplary Rehabilitation Certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes; to the Committee on Armed Services; and

H.R. 5852. An act to amend title 38 of the United States Code with respect to the basis on which certain dependency and indemnity compensation will be computed; to the Committee on Finance.

H.R. 9976. An act to amend the act of September 2, 1964; and

H.R. 10747. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Diwamish Tribe of Indians in Indian Claims Commission docket No. 109, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 12352. An act authorizing the conveyance of certain property to Pinellas County, Fla.; to the Committee on Government Operations.

H.R. 14831. An act to amend the provisions of law relating to the planting of crops on acreage diverted under the cotton, wheat, and feed grains program; to the Committee on Agriculture and Forestry.

H.R. 15024. An act to amend section 8 of the Public Buildings Act of 1959 to authorize the Administrator of General Services to lease certain property in the District of Columbia; to the Committee on Public Works.

H.R. 16114. An act to correct inequities with respect to the determination of basic compensation of employees of the Federal Government for purposes of certain employment benefits, and for other purposes; and

H.R. 16706. An act to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 16897. An act to provide for the collection, compilation, critical evaulation, publication, and sale of standard reference data; to the Committee on Commerce.

FEDERAL INVENTIONS ACT OF 1966—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1461)

Mr. McCLELLAN. Mr. President, from the Committee on the Judiciary, I submit a report to accompany S. 1809, to establish a uniform national policy concerning property rights in inventions made through the expenditure of public funds, and for other purposes, together with the individual views of the Senator from Michigan [Mr. HART], the Senator from North Dakota [Mr. BURDICK], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Maryland [Mr. TYDINGS].

I ask unanimous consent that the report together with the individual views be printed.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Arkansas.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated August 3, 1966, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

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

By Mr. JAVITS:

S. 3726. A bill to amend section 708 of the Defense Production Act of 1950 to extend the coverage of that section to voluntary agreements or programs for the control of credits; to the Committee on Banking and Currency.

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

By Mr. BIBLE:

S. 3727. A bill to amend the act of June 10, 1844, in order to clarify the corporate name of Georgetown University, and for other purposes; to the Committee on the District of Columbia.

By Mr. McGOVERN:

S. 3728. A bill for the relief of Katherine L. Domaguing; and

S. 3729. a bill for the relief of Julita Dumo; to the Committee on the Judiciary.

By Mr. PELL:

S. 3730. A bill to promote the foreign policy of the United States by strengthening and improving the foreign service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps; to the Committee on Foreign Relations.

By Mrs. NEUBERGER (for herself, Mr. MAGNUSON, and Mr. MORTON):

S. 3731. A bill to strengthen the administration of the Flammable Fabrics Act; to the Committee on Commerce.

(See the remarks of Mrs. NEUBERGER when she introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 3732. A bill to amend part III of the Interstate Commerce Act to provide for the recording of trust agreements and other evidences of equipment indebtedness of water carriers, and for other purposes; and

S. 3733. A bill to amend the Merchant Marine Act, 1936, in order to authorize the chartering for certain passenger cruise service of vessels operating under subsidy; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills which appear under separate headings.)

CONCURRENT RESOLUTION DEDUCTIBLE EDUCATION EXPENSES OF TEACHERS

Mr. INOUYE submitted the following concurrent resolution (S. Con. Res. 105); which was referred to the Committee on Finance:

Resolved by the Senate (the House of Representatives concurring), That because the elimination of tax-deductible credits for educational expenses would discourage many teachers from returning to the classroom to upgrade their skills and knowledge in our rapidly changing world, which would have a substantial impact on the content of education for America's children and is therefore a matter of basic national policy which should be determined by the Congress, it is the sense of Congress that the regulations proposed by the Internal Revenue Service on July 7, 1966, with respect to the elimination of certain deductible educational expenses for teachers, should not be made effective or enforced until the Congress has by law conferred the authority to make such regulations on the Internal Revenue Service.

FLAMMABLE FABRICS ACT—WE BURN WHILE COMMERCE FIDDLES

Mrs. NEUBERGER. Mr. President, today I am introducing legislation which would amend the Flammable Fabrics Act for the purpose of providing the American consumer with a greater margin of fire safety than we now enjoy in our clothing and household fabrics. I am joined in this proposal by Senators MAGNUSON and MORTON.

The situation today in the flammability of clothing and household fabrics is nothing less than a national scandal. Thousands of men, women, and children are burned, sometimes fatally, when their clothing catches fire accidently. Others spend weeks and months in hospitals undergoing slow and painful recovery, hoping that skin grafting and plastic surgery will enable them to once again lead normal lives.

The extent of these tragic incidents is unknown, because there are no reliable statistics on injuries and deaths caused by flammable clothing. There is no clearinghouse of information on matters of this kind. The National Safety Council, the Public Health Service, the Federal Trade Commission, the National Association of Fire Underwriters, the Department of Commerce—none of these can say with certainty how many victims there are of fabric burnings each year. Because no one knows, no one has acted to tighten up the existing act.

Section 1193 of the Flammable Fabrics Act states that if at any time the Secretary of Commerce finds that the standards of the act are inadequate for the protection of the public interest, he shall submit to the Congress a report setting forth his findings together with such proposals for legislation as he deems appropriate. Although the act has been on the books for 12 years, the Secretary has not recommended any additional proposals

for the protection of the public. Meanwhile, thousands of people have been burned to death and maimed because they were wearing flammable clothing.

The Flammable Fabrics Act requires that certain standards and tests approved in 1954 be applied to wearing apparel. Fabrics other than wearing apparel are not covered by the act. A quirk of the law is that material made into a short which might be banned from sale because it did not pass the test could still be legally—even if lethally—sold if made into a drape or blanket.

The bill which I am introducing today would merely give the Department of Commerce some discretion and flexibility in determining what standard ought to be applied to fabrics. For example, the present standard requires that the swatch of material to be tested be placed in a Rube Goldberg-type apparatus at a 45° angle, that a very small flame be directed for 1 second onto the surface, and that any material which is consumed in less than 3.5 seconds under these conditions should be considered too flammable for sale.

Under the Neuberger-Magnuson-Morton measure, the Department of Commerce could propose new standards and testing precedures. For instance, lengthening the period when the flame is allowed to light the fabric, changing the position of the material from a 45° angle to the perpendicular, or extending the burning time to 4.5 or 5 seconds. Or a new criterion could be proposed, such as the intensity of burning. Some fabrics may be consumed at a rate which will pass the 3.5 second test, and at such an intensity that the flame cannot be extinguished easily and dreadful burns may result.

The amendment proposed today requires the Secretary of Commerce to review the commercial standards for flammable fabrics at least once every 2 years and if he finds that such standards are inadequate for the protection of the public interest, he shall amend such standards to assure such protection. I cannot emphasize too strongly the importance of the phrase "for the protection of the public interest."

The language of this legislation does not mean that the Department of Commerce, in setting up any new standards, should lean over backward to please the fabric industry. The primary concern of the Department must be the safety margin, not the profit margin.

I am certainly not revealing anything startling and new in Washington when I suggest that departments, agencies, and commissions established to regulate industries in the public interest often end up being apologists and protectors of those industries. Any new commercial standards for fabrics will be drafted and proposed by the Standing Committee for Flammability of Clothing Textiles, the membership of which is appointed by the Secretary of Commerce. On the present committee are represented the American Association of Textile Chemists and Colorists, American Association of Textile Technology, American Textile Manufacturers Institute, American Society for Testing and Materials, Man-Made Fibers Producers Association, National Cotton Council of America, National Retail Merchants Association, Textile Distributors Association, Underwear Institute, and the Vinyl Fabrics Institute.

With all due respect to these trade associations, one would not anticipate bold and imaginative consumer protection recommendations from a standard-setting committee with such orientation.

However, the Secretary of Commerce is not bound by law to accept and promulgate the standards recommended by the standing committee. On the contrary, he is specifically charged with the protection of the public interest and in instances such as this where human life is the issue, the Secretary ought to be jealous of his responsibility.

Although the bill introduced today does not expand the coverage of the Flammable Fabrics Act, I would hope and expect that the Congress would consider doing so when reviewing this legislation. It is indisputable that many household fabrics are fire hazards in the extreme. Blankets and drapes are obvious examples. It is frightening to realize that thermal blankets are on beds in perhaps hundreds of thousands of homes, yet some thermal blankets will almost instantly disappear when a flame is put to them.

Curtains and drapes catching fire are a major cause of home damage in America. Yet the Flammable Fabrics Act provides no protection, because its coverage is limited to wearing apparel. Even that is limited, because hats, gloves, and footware are exempted. Three years ago I introduced a baby blanket bill, because an inane interpretation of the law said that infant receiving blankets were not wearing apparel. This, in spite of the obvious fact that such blankets were worn practically 24 hours a day.

Therefore, I strongly recommend a complete review of the coverage of the act, as well as the standard and testing procedures.

I ask unanimous consent to have printed in the RECORD two letters, one written to Senator MAGNUSON by Peter Hackes, and one written to Senator MAGNUSON by the Assistant Secretary of Commerce, both relating to the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and without objection, the letters will be printed in the RECORD, as requested by the Senator from Oregon.

The bill (S. 3731) to strengthen the administration of the Flammable Fabrics Act, introduced by Mrs. NEUBERGER (for herself, Mr. MAGNUSON, and Mr. MORTON), was received, read twice by its title, and referred to the Committee on Commerce.

The letters, presented by Mrs. NEUBERGER, are as follows:

AUGUST 11, 1966.

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MAGNUSON: It has come to my attention that you and several members of your Senate Commerce Committee are promoting legislation to have the Federal Trade Commission study the problem of the flammability of clothing—especially garments sold for use by children. In this endeavor I should like to offer whatever help I can.

My 11-year old daughter Carole has just gone through the most trying period of her young life. She spent two months and four days in Children's and George Washington University Hospitals here in Washington—the result of a bad burn. She received second and third degree burns over about 15 percent of her body (chest and neck), when a cotton blouse she was wearing caught fire. With plastic surgery (a second round of which may have to come later) we are hopeful she will one day resume a normal life. But it will be a long pull.

Following the accident I brought a piece of fabric from the burned blouse (which I still retain) to the FTC testing lab here in Washington. There I watched as it was put through the routine burn-time test. It burned quickly. But apparently not quickly enough to violate the law.

In the interest of helping prevent another such tragedy, I for one wish you complete success in your venture toward upgrading the flammable clothing law. Please let me know if I can be of assistance.

Sincerely,

PETER HACKES.

Cc: Paul Rand Dixon, Chmn. FTC; Senator MAURINE NEUBERGER.

THE ASSISTANT SECRETARY
OF COMMERCE,
Washington, D.C.

Hon. WARREN G. MAGNUSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MAGNUSON: We are pleased to provide a further status report of our continuing review of the Flammable Fabrics Act.

As stated in my letter of November 5, 1964, a standing committee was reconstituted and has formed from among its members a technical committee. The technical committee has directed its efforts to (1) the refinement of testing equipment and procedures and (2) the development of test procedures requested by the Federal Trade Commission for narrow fabrics and loose fibrous materials.

A review of Fabric Flammability Test Methods was completed at the National Bureau of Standards and published as NBS Report 8933 (copy enclosed).

The position of the Federal Trade Commission with respect to this Act is set forth in the enclosed copy of a letter of July 11 from Chairman Dixon. (The technical points discussed by Chairman Dixon with respect to the commercial standard itself are being studied by the National Bureau of Standards and by the technical committee.)

Although the inclusion under the provisions of the Act of such items as hats, gloves, footware, blankets, and bedding could be recommended on a philosophical basis, we would be reluctant to submit such a recommendation without a firm technical basis.

We are pleased to advise that, just recently, we have entered into an agreement with the U.S. Public Health Service under which they will be collecting samples of clothing and other fabrics involved in burn injuries and burn deaths and will submit such samples to the National Bureau of Standards for analysis. It is our hope that with data derived from this study we will be in a position to determine with some precision the role of fabrics in burn injuries and burn deaths. It is contemplated that the study will require at least all of fiscal year 1967.

We do, at this time, recommend that the Congress consider amending the Act by deleting all references to Commercial Standard 191–53 and authorizing the Secretary of Commerce to prescribe and publish in the Federal Register the standard for determin-

ing flammability. The rapid advances in technology make strongly desirable a means by which the technical standards for determining flammability may be kept current.

We are sincerely interested in pursuing our technical studies on flammability and will see to it that you are kept informed of our progress.

Sincerely yours,

J. HERBERT HOLLOMON.

Mr. LONG of Louisiana subsequently said: Mr. President, I ask unanimous consent that Senate bill 3731, introduced earlier today by the Senator from Oregon [Mrs. NEUBERGER], for herself and other Senators, be held at the desk for a week for additional cosponsors.

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

AMENDMENT OF INTERSTATE COMMERCE ACT RELATING TO RECORDING OF TRUST AGREEMENTS OF WATER CARRIERS

Mr. MAGNUSON. Mr. President, I introduce, by request, for appropriate reference, a bill to amend part III of the Interstate Commerce Act to provide for the recording of trust agreements and other evidences of equipment indebtedness of water carriers.

The purpose of this bill is to permit the water carrier industry to obtain increased funds for capital improvements through the utilization of equipment trust certificates. Section 1 of this bill amends part III of the Interstate Commerce Act to provide for the recording of security instruments with the Interstate Commerce Commission in much the same manner as equipment trust certificates of the railroads are presently recorded with the ICC, and security agreements of the airlines are recorded with the Federal Aviation Agency.

Section 2 of this bill would amend section 116 of the Bankruptcy Act to provide that the titleholder under a title retention security agreement could repossess or take physical possession of the equipment even though the debtor is in a chapter 10 reorganization.

Similar legislation was enacted many years ago for the benefit of the railroad industry when the Congress enacted section 77(j) of the Bankruptcy Act pertaining to the reorganization of the railroads.

In 1957, virtually identical legislation was enacted for the benefit of the aviation industry.

It should be emphasized that this proposed legislation is strictly voluntary in nature in that both the water carrier and the financial institution would have to mutually agree upon taking advantage of the proposed exemption before it could become applicable to any given security instrument.

The water carrier industry, like the railroad and aviation industries, is faced with substantial capital expenditures for the replacement of obsolete towboats and barges, and needs to resort to long-term security type financing in order to obtain the necessary funds for the purchase of this new equipment.

This bill would both increase the sources of funds for water carrier financing, and enable necessary financing to be obtained at better interest rates.

Under this proposed legislation water carriers advise that they would be able to provide shippers, consumers, and communities with more modern and efficient equipment through equipment trust financing.

I ask unanimous consent to have printed in the RECORD following my remarks a letter dated July 29, 1966, from Mr. J. W. Hershey, chairman of the executive committee, the Common Carrier Conference of Domestic Water Carriers, in support of this bill.

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

The bill (S. 3732) to amend part III of the Interstate Commerce Act to provide for the recording of trust agreements and other evidences of equipment indebtedness of water carriers, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, presented by Mr. MAGNUSON, is as follows:

THE COMMON CARRIER CONFERENCE
OF DOMESTIC WATER CARRIERS,
Houston, Tex., July 29, 1966.

Senator WARREN G. MAGNUSON,
Chairman of the Committee on Commerce, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR MAGNUSON: I am enclosing for your consideration a draft of a bill regarding the recordation of equipment trust agreements and the exemption of certain title retention security agreements from the provisions of the Bankruptcy Act by the amendment of Section 323 of Part III of the Interstate Commerce Act and Section 116, Chapter 10 of the Bankruptcy Act (11 U.S.C. 516).

The water carrier industry has in the past, and will most certainly in the future, be faced with problems of equipment obsolescence and the resulting need for capital improvements as the industry continues to modernize its fleet for service to the public. Of course, this problem is not peculiar to water carriers, and I am sure that the nation's railroads and airlines have been involved in similar modernization programs.

Obviously, a substantial portion of the funds for these capital improvements must be obtained from financial institutions rather than from working capital. Because a great deal of a water carrier's total assets is represented by floating equipment, the logical and only available security for financing is the towboats and barges being purchased by the carrier. This, I understand, is also generally true of the airlines, and I also understand that most of the railroad equipment modernization is via the medium of equipment trust certificates.

Both the railroads and the airlines presently have available to them a type of financing which is somewhat exempt from the provisions of the Bankruptcy Act in that a lender's title in financed equipment, and his concurrent right to repossess that equipment, may not be restricted, limited or hindered by the trustee in a reorganization of a railroad or of an airline. The existence of this legislation has enabled both the rail and air carriers to obtain financing from sources which may not have been otherwise available at relatively favorable interest rates.

In 1957, Congress amended Section 116 of the Bankruptcy Act thereby providing this type of exemption for the financing of aircraft, aircraft engines and related equipment, and our proposed legislation follows the same general format as that enacted in 1957 in H.R. 7671 and S. 2205.

Enactment of the proposed legislation would greatly assist the inland and coastwise water carrier industry in the modernization of its floating equipment and would place such water carriers on a par with both railroads and airlines in attracting capital for fleet improvements. The amendment would prove of benefit to both large and small water carriers particularly in view of the increasing costs of both barges and towboats. It should also be noted that the proposed legislation cannot possibly harm either a water carrier or a financial institution as it is strictly permissive and can only be utilized where both the water carrier and the financial institution mutually desire to take advantage of this particular type of financing.

In the event the Congress sees fit to enact the proposed amendment to the Bankruptcy Act, it would appear that creditors could be best protected from unknown liens on equipment by amending Part III of the Interstate Commerce Act so as to provide for the recordation of instruments evidencing equipment indebtedness at one central and easily accessible location. Railroad equipment trust certificates must be recorded with the Interstate Commerce Commission under Section 20(c) of the Interstate Commerce Act, and because water carriers are likewise subject to regulation by that Commission, it seems logical to designate that Commission as the place for recordation in the same manner as was done for railroads. It is my understanding that equipment indebtedness instruments on aircraft are recorded with the Federal Aviation Agency in much the same manner as we propose to record vessel indebtedness instruments with the Commission. This procedure would not burden the Commission nor require an expansion of the Commission's existing staff or facilities as the small amount of work could be easily handled by those persons presently responsible for the recording of instruments under Section 20(c) of the Act.

I would be most happy for the opportunity to fully discuss the proposed legislation with either you, a member of your committee, or your staff any time at your convenience.

Sincerely yours,

J. W. HERSHEY.

AMENDMENT OF MERCHANT MARINE ACT, 1936, TO AUTHORIZE CHARTERING FOR CERTAIN PASSENGER CRUISE SERVICE OF VESSELS OPERATING UNDER SUBSIDY

Mr. MAGNUSON. Mr. President, I introduce at the request of the Committee of American Steamship Lines a bill which would amend the Merchant Marine Act of 1936 to permit the chartering of vessels in subsidized service by one subsidized line to another, for use by the latter on its trade route.

This bill is similar to S. 2668, a bill which I introduced by request on October 19, 1965. The primary objective of both bills is the same. They would vary present law so as to permit a subsidized operator to charter its passenger ships to another subsidized operator with regular passenger service, rather than operating those vessels in the cruise trade itself. The benefits of this cross chartering are several and were outlined by me when I introduced S. 2668.

The present bill is a revision of S. 2668 proposed by the Committee of American

Steamship Lines. It differs from S. 2668 in that it incorporates statutory protections now afforded the subsidized cargo operator in the event another subsidized operator wishes to enter his trade route or increase his competitive service on the same trade route.

Under S. 2668 it would have been possible for the charters of a passenger ship to increase his service on a trade route competitive with the cargo operator without having to comply with the requirements of section 605(c) of the Merchant Marine Act of 1936.

The primary purpose of section 605(c) is to protect an existing subsidized carrier on a trade route from dilution of traffic through increase of competitive operations without a demonstration that present service is inadequate. The revised bill will insure the continued protection of section 605(c) to existing subsidized carriers against an undemonstrated need for competitive service.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

The bill (S. 3733) to amend the Merchant Marine Act, 1936, in order to authorize the chartering for certain passenger cruise service of vessels operating under subsidy, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3733

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

SECTION 1. Section 613 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1183), is amended to read as follows:

"(a) As used in this section (i) 'passenger vessel' in case of a vessel operated on cruises by the contractor authorized by this section means a vessel which (1) is of not less than ten thousand gross tons, and (2) has accommodations for not less than one hundred passengers; and (ii) 'passenger vessel' in case of a vessel operated by another subsidized operator under charter from the contractor on cruises authorized by this section means a vessel which (1) is of not less than fourteen thousand gross tons, (2) has accommodations for not less than two hundred and seventy-five passengers and (3) general cargo capacity of no more than four hundred and fifty thousand cubic feet.

"(b) If the Secretary of Commerce finds that the operation of passenger vessels with respect to which an application for operating-differential subsidy has been filed under section 601 of this title is required for at least two-thirds of each year, but not for all of each year, in order to furnish adequate service on the service, route, or line with respect to which the application was filed, the Secretary may approve the application for payment of operating-differential subsidy to the contractor for operation of the vessels by the contractor (1) on such service, route, or line for such part of each year, and (2) for operation by the contractor and by another subsidized operator under charter from the contractor on cruises for all or part of the remainder of each year if each specific cruise is approved by the Secretary under subsections (e) and (f) of this section.

"(c)(1) When a passenger vessel is operated by a contractor on cruises authorized by this section, such cruises must begin and end at a domestic port or port on the same seacoast of the United States from which the contractor operates or conducts the regular vessel to which the vessel is assigned. When a vessel is being operated by the contractor on cruises—

"(A) it shall carry no mail unless required by law, or cargo except passengers' luggage, except between those ports between which it may carry mail and cargo on its regular service assigned by contract;

"(B) it shall carry passengers on a round-trip basis, except between those ports between which it may carry one-way passengers on its regular service assigned by contract;

"(C) it shall embark passengers only at domestic ports on the same seacoast of the United States as that to which the vessel is assigned on its regular service; and

"(D) it shall stop at other domestic ports only for the same time and the same purposes as is permitted with respect to a foreign-flag vessel which is carrying passengers who embarked at a domestic port.

"(2) When a passenger vessel is operated by another subsidized operator under charter from the contractor on cruises authorized by this section, such cruises must begin and end (A) at a domestic port or ports on the same seacoast of the United States from which the contractor operates or conducts the regular service to which the vessel is assigned, or (B) at a domestic port or ports on the same seacoast of the United States from which the subsidized operator to whom the contractor's vessel is chartered operates or conducts its regular service. When a vessel in being operated on cruises authorized by this section by a subsidized operator under charter from the contractor:

"(i) it may carry mail between all of such domestic ports on such seacoasts and the foreign ports on the regular service of such subsidized operator;

"(ii) it may carry passengers on a round-trip basis from and to all such domestic ports on such seacoasts by way of the foreign ports on the regular service of such subsidized operator or on the regular service to which the vessel is assigned, but may only carry passengers on a one-way basis between ports on the regular service of the subsidized operator;

"(iii) it may embark passengers at all of such domestic ports on such seacoasts;

"(iv) it may carry cargo between a domestic port or ports on the same seacoast from which the subsidized operator operates or conducts its regular service and the foreign ports on such regular service; and

"(v) it shall stop at other domestic ports on such seacoasts only for the same time and the same purposes as is permitted with respect to a foreign-flag vessel which is carrying passengers who embarked at such domestic ports.

"(3) Section 605(c) of this Act shall not apply to cruises authorized under this section.

"(d) The Secretary may from time to time review the operating-differential subsidy contracts entered into under this title for the operation of passenger vessels, and upon a finding that operation of such vessels upon a service, route or line is required in order to furnish adequate service on such service, route or line, but is not required for the entire year, may amend such contracts to agree to pay operating-differential subsidy to the contractor for operation of such vessels on cruises as authorized by this section, for part or all of the remainder but not exceeding one-third of each year, if each specific cruise is approved by the Secretary under subsections (e) and (f) of this section.

"(e) Upon the application of any contractor (in which application the subsidized operator to whom a vessel of the contractor is to be chartered will join) for approval of a specific cruise the Secretary, after notice to all other American-flag operators who may be affected and after affording all such operators an opportunity to submit written data, views or arguments, with or without opportunity to present the same orally in any manner, and after consideration of all relevant matter presented, shall approve the proposed cruise if he determines (i) that the proposed cruise will not substantially adversely affect an existing operator's service performed with passenger vessels of United States registry and (ii) with respect to any proposed carriage of mail or cargo under the provisions of subsections (c)(2)(i) or (c)(2)(iv), that the proposed cruise will not substantially adversely affect an existing operator's service performed with freight vessels of United States registry. Such approval shall not be given more than two years in advance of the beginning of the cruise.

"(f) If a vessel is to be chartered for a service which is to carry mail or cargo under the provisions of subsections (c)(2)(i) or (c)(2)(iv), on a service, route or line served by any citizen or citizens of the United States other than the subsidized operator to whom the contractor's vessel is to be chartered, no such charter shall be made unless the Secretary, in addition to the other determinations required by this section, after proper hearings of all parties, shall determine that the cargo service already provided by vessels of United States registry in such service, route or line is inadequate; and that in the accomplishment of the purposes and policy of this Act additional vessels should be operated thereon; and no such charter shall be made with respect to a vessel to be chartered for operation on a service, route or line served by two or more citizens of the United States with vessels of United States registry, if the Secretary shall determine the effect of such charter would be to give undue advantage or be unduly prejudicial, as between citizens of the United States, in the operation of vessels carrying cargo in competitive services, routes or lines unless following public hearing, due notice of which shall be given to each line serving the route, the Secretary shall find that it is necessary to enter into such charter in order to provide adequate cargo service by vessels of such United States registry. The Secretary, in determining for the purposes of this section whether cargo services are competitive, shall take into consideration the type, size and speed of the vessels employed, whether passenger or cargo, or combination passenger and cargo vessels, the ports or ranges between which they run, the character of cargo carried, and such other facts as he may deem proper.

"(g) As used in this section the following three are the seacoasts of the United States: (1) the Atlantic coast, including the Great Lakes but excluding the Gulf of Mexico; (2) the Gulf of Mexico; and (3) the Pacific coast, including Alaska and Hawaii."

SEC. 2. Section 603(b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1173(b)), is amended by inserting after *"Provided, however,* That" the following: "except with respect to cruises described in section 613(c)(2) of this title,".

SEC. 3. Section 608 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1178), is amended by inserting immediately before the period at the end of the first sentence thereof the following: ", except to the extent that the operation of such vessel or vessels by another subsidized operator under charter from the contractor for cruising purposes is permitted by section 613 of this title, in which case no such consent shall be required".

SEC. 4. Section 805(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C.

1223(d)), is amended by inserting after "or to charter any vessel on which an operational-differential subsidy is to be paid, for operation by another person or concern" the following: "(except to the extent that the chartering of any such vessel is permitted under section 613 of this title, in which case no consent shall be required).".

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1967—AMENDMENTS

AMENDMENT NO. 751

Mr. McGOVERN (for himself, Mr. PROXMIRE, Mr. CLARK, and Mr. NELSON) submitted amendments, intended to be proposed by them, jointly, to the bill (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes, which were ordered to lie on the table and to be printed.

THE WAR ON POVERTY—AMENDMENT

AMENDMENT NO. 752

Mr. MURPHY submitted an amendment, intended to be proposed by him, to the bill (S. 3164) to provide for continued progress in the Nation's war on poverty, which was referred to the Committee on Labor and Public Welfare and ordered to be printed.

ADDITIONAL COSPONSORS OF BILL

Mr. MONTOYA. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Hawaii [Mr. INOUYE], and the Senator from Illinois [Mr. DIRKSEN] be added as cosponsors of S. 3580, a bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes.

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

NOTICE OF HEARINGS RELATING TO SMALL BUSINESS INVESTMENT COMPANY PROGRAM

Mr. PROXMIRE. Mr. President, I should like to announce that the Small Business Subcommittee of the Senate Banking and Currency Committee will hold a hearing on Wednesday, August 24, 1966, on S. 3695, a bill to amend the Small Business Investment Act of 1958, and for other purposes. The hearing will begin at 10 a.m., in room 5302, New Senate Office Building.

Persons wishing to testify on this measure should notify as soon as possible, Mr. Reginald W. Barnes, assistant counsel, Senate Banking and Currency Committee, 5300 New Senate Office Building, Washington, D.C. 20510. Telephone: 225-3921.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 16, 1966, he presented to the President of the United States the enrolled bill (S. 3484) to amend the act of June 3, 1966 (Public Law 89-441, 80 Stat. 192), relating to the Great Salt Lake relicted lands.

THE 44TH INTERNATIONAL CONVENTION OF THE AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION

Mr. SALTONSTALL. Mr. President, the American Hellenic Educational Progressive Association, known as AHEPA, is holding its 44th supreme convention in Washington this week. I was glad to note that the convention was opened with services conducted by the Most Reverend Archbishop Iakovos, the primate of the Greek Orthodox Church of North and South America. I am honored to be a member of the honorary committee for an all-America tribute to His Eminence in September.

AHEPA, which represents some 46,000 American and Canadian citizens of Hellenic descent, is renowned for the variety of its contribution to worthy and charitable causes.

The fraternity of AHEPA performs a valuable function for its members in instructing them in the fundamentals of democratic government and in emphasizing the duties as well as the rights of citizenship in a free society. Both on the national and local levels, AHEPA urges its members to be contributing members of their communities through planned civic activity. These are especially fitting purposes for an organization with its roots in the land where democracy was born. We like to think of the United States as the best working democracy in the modern world. We are aided in our efforts to make democracy succeed by the work of such groups as AHEPA. I congratulate the order and its Supreme President Kimon Doukas on the occasion of their gathering in the Nation's Capital.

Mr. TALMADGE. Mr. President, meeting in Washington this week for their 44th international convention are representatives of the 46,000-member Order of AHEPA. We are all aware of the outstanding contributions to the cultural, educational, and civic advancement of our country which have been made by this organization of Americans of Greek origin, and it is my pleasure to welcome the AHEPA convention to the Nation's Capital.

As a member of AHEPA and a Georgian, I take special pride in the fact that the order was founded in Atlanta, Ga., in 1922, and today the Order of AHEPA and its three auxiliaries have a total of 1,125 chapters in 49 States, the Bahamas, Canada, Australia, and Greece.

Mr. President, it is fitting today to call attention to the objectives and purposes of the Order of AHEPA which are worthy goals for all Americans.

These are:

First. To promote and encourage loyalty of its members to the country of which they are citizens.

Second. To instruct its members in the tenets and fundamental principles of government.

Third. To instill a due appreciation of the privileges of citizenship.

Fourth. To encourage interest and active participation in the political, civic, social, and commercial fields of human endeavor.

Fifth. To pledge its members to oppose political corruption and tyranny.

Sixth. To promote a better and more comprehensive understanding of the attributes and ideals of hellenism and Hellenic culture.

Seventh. To promote good fellowship, and endow its members with a spirit of altruism, common understanding, mutual benevolence, and helpfulness to their fellow man.

Eighth. To endow its members with the perfection of the moral sense.

Ninth. To promote education and maintain new channels for facilitating the dissemination of culture and learning.

Mr. PROUTY. Mr. President, the 44th Supreme Convention of the Order of AHEPA has convened this week here in Washington. I wish to join with others of my colleagues in extending to the members of AHEPA and their families the warmest of greetings and welcome to our Capital City.

For many years the fine civic and social works of this organization have been known and respected throughout this country. Its membership is composed of Americans of Greek ancestry; but its interests are dedicated to the preservation for all people of those principles and purposes of ancient Greece which are the foundation of civilization as we know it.

I am acquainted with members of this organization, some of whom are among my most cherished friends. Their lives reflect the devotion to good and to the betterment of mankind which are the foundation stones of AHEPA.

To the membership of AHEPA, I extend my sincere good wishes for a successful convention.

Mr. YARBOROUGH. Mr. President, it is my pleasure to speak in honor of AHEPA Week. This organization, which has representatives in 49 States and 4 countries, has as its creed:

> To promote loyalty to the United States of America; respect the inalienable rights of mankind; strive for the betterment of society; abhor all political corruption; defend and protect all oppressed people everywhere; cultivate the noblest attributes and highest ideals of true Hellenism; labor for the perfection of a moral sense, the spirit of altruism and true benevolence; champion the cause of education; love God and man, and hope for happiness.

The fine work that AHEPA has done in the past years demonstrates the esteem and honor which this organization deserves. These individuals in their attempt to carry on the word of the Hellenic culture are perpetuating one of the most outstanding culture the world has ever known. The Golden Age of Pericles produced the seeds of democracy and a culture not reached again in the life of mankind.

The efforts of AHEPA to accomplish the high goals of humanity and citizenship as exemplarized by the Hellenistic culture cannot be commended highly enough. Their kindness and charity,

reverence for education, striving for the betterment of society and mankind, and generally hope for a more moral world and life illustrates the value of this fine organization.

Mr. President, I congratulate AHEPA on its record and wish it well for the future.

Mr. KENNEDY of New York. Mr. President, this week, Washington is host to the 44th Supreme International Convention of the Order of AHEPA, and the Nation's Capital is honored by the presence of over 25,000 visiting members.

I can think of no other order whose purposes and objectives are more altruistic and worthy—no order which strives more valiantly for the benefit of all mankind. It is an order which promotes the understanding of fundamental principles of government; promotes loyalty to those principles and encourages interest and active participation in their preservation. The members are pledged to oppose political corruption and tyranny, and in a world where so many millions are imprisoned by the dictates of their political masters, AHEPA continues to promote the ideals of the Hellenic culture from which democracy sprang.

We owe the concept of democracy to this Hellenic culture, but we owe still more to the Greek peoples who have carried this priceless legacy to every community in which they have settled. And the AHEPANS gathered in Washington this week are here to tell us that this process of dissemination is being carried forward, and will not stop until its happy message is spread around our troubled earth.

I know that my colleagues, many of whom are members of the Order of AHEPA, are happy to welcome such an outstanding group to the Capital, and join with me in extending their best wishes for a most successful convention.

COMMENDATION OF SENATOR MAGNUSON BY AMERICAN LEGION OF WASHINGTON

Mr. INOUYE. Mr. President, the veterans of this Nation owe much to the devotion and dedication in their behalf of one of our distinguished colleagues, the Honorable WARREN G. MAGNUSON, of the great State of Washington.

At the 1966 State convention of the American Legion, Department of Washington, held in Vancouver, Wash., July 21 to 23, Senator MAGNUSON was commended in a resolution adopted by the convention for his distinguished service to veterans.

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

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

RESOLUTION OF THE AMERICAN LEGION, DEPARTMENT OF WASHINGTON

Whereas, The Honorable WARREN G. MAGNUSON, our senior United States Senator, has long served the State of Washington and the Nation faithfully and well as a member of the Washington State Legislature in 1933; as a United States Representative from the First District of Washington in the 75th through the 78th Congresses; and since December 15, 1944, as a member of the United States Senate; and

Whereas, Senator MAGNUSON, as Chairman of the Subcommittee on Independent Offices, Senate Committee on Appropriations, has over the years supported the American Legion's requests for adequate funds for the operation of the Veterans Administration and the veterans' benefit programs; and

Whereas, Senator MAGNUSON consistently supports The American Legion's programs, including our objective to create a standing committee on veterans' affairs in the United States Senate; and

Whereas, Senator MAGNUSON served his country as a Lieutenant Commander in the Navy in the Pacific Fleet during World War II and has since separated from the service been a member of the American Legion; Now, Therefore, be it

Resolved, That the Department of Washington, The American Legion, in regular Convention assembled July 21–23, 1966 does commend Senator WARREN G. MAGNUSON for distinguished service to his State and Nation and for his understanding and support of The American Legion programs of service to the veterans of America, and be it

Further resolved, that this resolution be spread upon the record of this convention and that a copy thereof be forwarded to Senator WARREN G. MAGNUSON in Washington, D.C.

CONCLUSIONS OF A STUDY OF U.S. INTERVENTION IN THE DOMINICAN REPUBLIC

Mr. LAUSCHE. Mr. President, I ask unanimous consent that there be printed in the RECORD a recent column written by Mr. William S. White, pointing out the conclusions reached by the Center for Strategic Studies of Georgetown University through the investigation and findings of the rightfulness or wrongness of the intervention of the United States in the disorders and unrest resulting from the revolution in the Dominican Republic last year.

The study made by the Center for Strategic Studies of Georgetown University was objective. The membership was made up of individuals of great integrity.

The findings of the study completely rebut all of the charges made by certain Members of the Senate blaming the United States for its intervention in the disorders that occurred in the Dominican Republic.

I have asked that this column by Mr. William S. White be included in the RECORD so that the readers of it will be given additional information about the facts related to the United States sending troops into the Dominican Republic for the protection of the lives of American citizens and the maintenance of justice.

The position of the United States was right. To have followed a course different than it did would have been a disservice to our country and to the people of the world who believe in decency and justice.

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

DOMINICAN REPORT—INTEGRITY OF UNITED STATES UPHELD

(By William S. White)

Hard to believe though at times this is, the plain truth does have a way of cutting at last through all the doctrinaire fogs thrown out by lefties and peaceniks whose essential creed is that the United States is always wrong.

A case in point is the American intervention last year in the Dominican Republic to prevent, first, a civil war blood bath and, second, a possible takeover by Castro communism.

A distinguished and independent panel of private experts which cannot possibly be waved off as stooges of current American foreign policy has now returned a unanimous verdict supporting the integrity and the success of the American action.

It will evoke no apologies from those unappeasable Senators who saw in their Government's emergency measures only some nasty old Yankee interference with "democracy" in Latin America. These Senators—the Fulbrights and their like—are long since eagerly off on yet other efforts to find something wrong with this country's efforts in other parts of the world.

Still, the findings of the first absolutely qualified and absolutely impartial inquest into the Dominican affair will have some interest for history at any rate.

The Center for Strategic Studies of Georgetown University asked five people of unimpeachable credentials to look into the intervention in their own way and to seek simply the facts.

Chosen were Willard L. Beaulac, a former career Ambassador with long service in Latin America; Karl Cerny, chairman of the Department of Government at Georgetown; Jules Davids, a professor and once a valued associate of President Kennedy; Eleanor Lansing Dulles, a former State Department official and a sister of the late Republican Secretary of State John Foster Dulles, and Joseph S. Farland, who has served as Ambassador in both the Dominican Republic and Panama.

Here are their conclusions—and all of their conclusions, unabridged:

"1. There was a serious threat to lives of foreign nationals from April 27 on. That threat justified the first stage landings on April 28 which had as their purpose the evacuation of Americans and other foreigners.

"2. The situation became more and more chaotic and the number of persons seeking evacuation increased rapidly, requiring a second stage action, the landing of reinforcing troops on the 29th. At the request of the United States, two meetings of the Council of the Organization of American States (OAS) were convened on the same day. The Council adopted resolutions calling for a cease-fire, appealed for the establishment of an International Safety Zone (ISZ) and sent a five-man commission to the Dominican Republic.

"3. A coup had been planned for a later date, but was precipitated by a series of unforeseen events. Communists were linked with the earlier planning. Although surprised by the timing of the rebellion they quickly assumed a leading role in the disorders that broke out. Progress in the Communist effort to dominate the revolt became increasingly evident. The third stage of U.S. action which followed, involving additional troop landings, was predicated upon this situation and upon the ISZ resolution of the OAS. Pursuant to this resolution, the United States military established an international neutral zone which separated the fighting forces and made possible the cessation of hostilities.

"4. There was no widespread popular rebellion in the Dominican Republic. Disorder was almost exclusively confined to the city of Santo Domingo.

"5. American troops had four objectives. These were (1) the protection of American and other foreign lives. (2) the halting of violence. (3) the prevention of a Communist seizure of power, and (4) the opening of an

option to the Dominican people to choose their leaders in a free election. All these objectives were attained.

"6. The United States should have attempted to make earlier use of the machinery available to the OAS for collective action. Such efforts would have reduced the possibility of suspicion and misunderstanding of U.S. action.

"7. The reasons for U.S. landings were ineptly explained to the public. The failure to communicate effectively the rationale for its actions had damaging effects in the United States and throughout Latin America."

DR. PATRICIA SMITH, OF SEATTLE, AND JOAN BLONIEN AND JEAN PLATZ, OF MILWAUKEE—DEDICATED WOMEN IN VIETNAM

Mr. JACKSON. Mr. President, recently, the senior Senator from the State of Wisconsin [Mr. PROXMIRE], spoke in the Senate of three dedicated American women who live and work in Kontum in the Montagnard country of Vietnam. He told of their heroism and of their untiring efforts to provide medical assistance to the people of this remote and unsophisticated region. The women are Dr. Patricia Smith, of Seattle, and Joan Blonien and Jean Platz, both nurses from Milwaukee.

I wish to add my congratulations to these women. The work they are doing is among the most meaningful of any of our Nation's activities in that stricken country.

For the benefit of my colleagues in the Congress, I ask unanimous consent that a recent article on Dr. Smith, published in the National Catholic Reporter, be printed in the RECORD.

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

DR. PAT SMITH—"THE BLOOD IS GETTING ON THE DOCTOR"

(By Mary Elayne Grady)

SEATTLE.—Although Dr. Patricia Marie Smith is already being compared with Dr. Tom Dooley, she doesn't seem to have noticed it.

"I had never seen an amputation performed until I did one myself," she remarked with typical self-depreciation during a visit to Seattle. "My medical consultants are textbooks."

The 39-year-old Seattle native came home for a five-week visit after having been in Vietnam since 1959, but news of her exploits at her "shoestring" hospital in the Montagnard hill country near Kontum, had preceded her. Earlier this year, a C.B.S. documentary featured her hospital.

Her short visit to the U.S. was frankly promotional. Two Swiss women doctors relieved her at Kontum while she came in search of recruits for the 40-bed hospital's staff and for funds.

"We need an adequate staff," she told an interviewer. "Our nurses are working 12 to 14 hours a day, seven days a week. They're beat. We need doctors; we need laboratory technicians."

The one thing the hospital doesn't particularly need is beds.

"Our hospital was built as a 40-bed operation, but it's expandable. Dr. Smith said. "We have averaged 150 patients during the past two months.

"The Vietnamese don't care much for beds, anyway, and often crawl out and sleep under them for fear of falling out."

Since 1963, Dr. Smith said, more than 10,000 persons have been registered for treatment, and many others were treated but not registered for one reason or other.

The hospital grew out of a 300-patient leprosarium started by a French missionary nun, Sister Marie Louise. Mission Catholique, as it is known, expanded with a small dispensary under Dr. Smith, and finally the 40-bed hospital in 1963. Funds for the hospital came from Misereor, the German Bishops' relief organization.

Funds now come from the Catholic Relief services and a number of other sources, mainly individuals. Supplies are donated by the Catholic Medical Mission board of New York, the World Medical Relief of Detroit, the Direct Relief foundation of California and the Joan Blonien club of Milwaukee.

The last club is named for one of the three American nurses—the others are Jean Platz also of Milwaukee, and Barbara Beard, of Memphis, Tenn.—who, with five Montagnard nuns and six Montagnard boys form the hospital's staff.

Only in recent months has the war in Vietnam moved close to the Kontum hospital—"We hear guns booming," Dr. Smith said. For the most part, the small hospital's fight has been against the usual diseases of the medically underprivileged country.

She told of taking a child, suffering from a bladder stone, from Kontum to another town where there was a New Zealand surgical team.

"The surgeon assisted me and told me what to do while I performed the operation," she said. "It turned out all right and I've been doing that kind ever since."

Dr. Smith was shown performing such an operation earlier this spring in the television documentary. She said the patient, a young boy, went home a few days later, in good shape.

Dr. Smith has great praise for the Montagnards, whom she describes as "some of the finest people in the world."

"One time a boy, about 10, came into the hospital," she related. "The little tyke had a scalp laceration and had hit a small artery, so the blood was really flowing. But what he said to his mother was 'The blood is getting on the doctor. Can you wipe it off for her?' "

In the seven years Dr. Smith has been in Vietnam, word of the medical center has spread and patients now go to it from more than 90 miles away. At one time, the staff made many village trips, but now most patients are taken to the hospital unless there is an emergency.

Dr. Smith said, "The Montagnards finally are beginning to trust Americans and to see that medical treatment is a good thing. The vast majority, however, still are not getting medical care."

"The Montagnards are some of the sickest people in the world. As an example, it is estimated that 75 per cent of their children die without growing up. The leprosy rate is one of the highest in the world, estimated at 7 to 10 per cent of the population. Forty per cent of the Montagnards have tuberculosis, and chronic malaria weakens them to a point where they are susceptible to other diseases."

The Montagnard villagers have become protective of the hospital personnel, Dr. Smith said. If they think Viet Cong are in the area, they carry the sick person out of his village to a point where there is less danger for the medical team.

A Montagnard boy drives the hospital's ambulance, which, said Dr. Smith, "is held together with tape right now. I have a Second World War jeep, but we haven't driven it in months. One nurse has a two-horsepower European car."

In Seattle, where Dr. Smith has a brother and sister, the family said her decision to go to Vietnam came as a surprise. "I didn't have the slightest idea," her brother, Gerald, said.

She enrolled in Seattle university, a Jesuit school, in 1948, with the intention of becoming a journalist, but shifted to pre-medical courses in her second year. When she started pre-medical courses, she wanted to take up psychiatry, but she changed her mind.

"I thought I'd probably end up needing treatment myself," she said.

A Seattle university faculty member recalls her as an excellent student who once wrote a term paper for his class entirely in verse, including footnotes. She was also active in the school's hiking club.

After Seattle, she went to the University of Washington School of Medicine, where she got her M.D. in 1955, then interned in Cincinnati and at the John L. Lewis hospital in McDowell, Ky., working with coal miners. During 1958, she worked with International Grail, a Catholic laywomen's movement, at a Puerto Rican settlement in New York where she heard about Kontum and volunteered to go.

THE DEATH OF THE NEW YORK HERALD TRIBUNE, AN AMERICAN TRAGEDY

Mr. GRUENING. Mr. President, as a former managing editor of the New York Tribune, in the days when it was so ably managed by its publisher and owner, Helen Rogers Reid—before it became the Herald Tribune, after its merger with James Gordon Bennett's Herald—I am naturally deeply saddened over the demise of that great and historic newspaper. During its century and a quarter's existence, it has played an important role in American history, and has, through the years, been far more than a New York daily, but indeed a national institution.

As a former newspaperman—and once a newspaperman, always a newspaperman—I am even more saddened by this further example of the tragic trend which has caused the steady disappearance of great metropolitan newspapers, so that almost today, and within a foreseeable time in the very near future, we may expect only lone newspapers, one in the morning and one in the evening, surviving in our major cities, thus constituting a virtual newspaper monopoly. The adverse aspect of monopoly is further aggravated by the fact that today most metropolitan newspapers also own radio and television stations, a situation which obviously is not desirable if the public is to receive the diversity of news and comment which is an essential concomitant and ingredient of the democratic process in our free society.

With the disappearance of the New York Tribune, the great metropolitan city of Greater New York, with its population of perhaps 8 million people, is apparently to be limited to four, if not fewer, newspapers—the New York Times and the New York News in the morning and the New York Post and the prospective amalgam of the Journal-American and World-Telegram in the afternoon. What a great change from the days when I was a New York newspaper editor. At that time, New York City had 14 newspapers, half morning and half evening, not to count the Brooklyn Eagle, in itself a respectable daily. If you lost

your job on one newspaper, you walked across the street for another. And they were great newspapers, such as Charles Dana's Sun, Pulitzer's World, morning and evening, with that greatest of all-time editorial writers, Frank Cobb, to name only a few of the vanished luminaries. They recorded history and they also made history. They reported and appraised important events, formed public opinion, and helped formulate national policy.

It is obvious that the trend to consolidation and elimination has been accelerated by the competition for the advertiser's dollar of radio and television. But that is not the real or the whole cause of this journalistic necrology. The real cause lies in the stupidity of the personnel of some of the mechanical departments, with their excessive featherbedding and their short-sighted and asinine refusal to face the realities that a newspaper losing money or barely breaking even cannot afford to pay steadily increasing wages and to countenance featherbedding costs. For years the Typographical Union has pursued a wholly unsound practice, which is known in the newspaper world as "printing bogus." That means that whenever an advertisement comes to a newspaper in plate form, a procedure desired by virtually all national advertisers so that their advertisements may appear uniformly throughout the country, the union has compelled that advertisement to be set up in type, to be proofread, to be corrected, and then to be thrown away. The lack of concern of the employees of the mechanical departments toward the great public service aspects of a newspaper is at the bottom of this difficulty. They have never apparently sensed effectively a feeling of responsibility for this essential contributor to and bulwark of our free society—a free press. They have blindly run up the costs, regardless of what the traffic would bear. They have caused the suspension of newspapers for weeks on end, and eventually killed them. They have deprived the public of one of the essential commodities of a free society. They have caused this to happen again and again in New York and throughout our larger cities.

And by their actions, they have brought about the loss of employment of countless newspaper feature and editorial writers, reporters, columnists, copy desk editors, rewrite men, and the others who, with love of their craft and dedication to it, have tried to make journalism a profession. But others, who care nothing for all this, have finally dug the grave of newspaper after newspaper, including their own, for with it has been the termination of their own employment.

It is well known that a paper like the New York Times, an institution of unique and superlative merit and an essential necessity, operates on something approximating, or less than, 1 percent profit on its investment and operating costs. And yet these obvious facts have left the strikers in the mechanical departments completely indifferent and unmoved.

The final blow which caused the demise of the New York Tribune was when one of the various mechanical unions, which have been on strike for months, even refused to agree to a factfinding inquiry.

Mr. John Hay Whitney, who has poured millions of dollars into that paper in the hope of keeping it alive, was forced reluctantly, after months of patient endeavor and further heavy financial loss, to the inevitable conclusion. But his long, unselfish efforts in behalf of his associates in that newspaper enterprise and of others, as well as the public, should not go unnoticed or unappreciated.

Radio and television are of tremendous value to our society, but they are not substitutes for the printed word, which obviously can be read and reread, clipped, filed, and retained for permanence. The newspaper story or item does not have the fleeting quality of a radio broadcast or a television show.

Our society needs all of these methods of communication, but as of now, the heyday of the newspaper and its great, constructive role in the development of our America, is drawing to an end. The American people are the losers thereby.

REV. HIRO HIGUCHI, BUILDER OF CHURCHES AND MEN

Mr. INOUYE. Mr. President, the Reverend Hiro Higuchi, minister of the Manoa Valley Church in Honolulu, is a builder of churches and men. As a chaplain with the 442d Infantry Regimental Combat Team in World War II, he was awarded the Legion of Merit and the Italian Cross of Military Valor.

In those perilous days he was a comfort and an inspiration to men at war. Today, at 59, he continues to give aid and comfort to his people and to inspire them to greater efforts in the community.

Reporter Toni Withington recently described his activities in an article published in the Honolulu Star-Bulletin.

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

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

ACTS AS FOREMAN ON MANOA VALLEY PROJECT: THIS MINISTER BUILDS HIS OWN CHURCHES

(By Toni Withington)

Activity swarmed around the construction area.

"Building a church?" a passerby asked one carpenter sawing planks.

"Sure."

"On Sunday? What does your minister say?"

"That's him up there," the carpenter said pointing to a man bracing himself against diagonal beams high above the ground.

Clad in a hard hat, shorts and a carpenter's apron the Reverend Hiro Higuchi whacked nails into crossbeams.

Higuchi has been whacking nails and mixing mortar for many years. The Manoa Valley Church, now under construction, will be the third church he has built and his fifth major construction project.

DO-IT-YOURSELF PHILOSOPHY

Higuchi is a minister with a do-it-yourself philosophy.

The construction boom is only the second wind for the Hilo-born minister who became an almost legendary chaplain of the 442nd regiment during World War II.

"This is what I like," said the 59-year-old Higuchi, laying aside his hammer.

"I'm not a good preacher, but I like to organize and build."

Almost all who know Higuchi would disagree with his evaluation of his speaking ability, but none could doubt his ability to get everyone out to build.

The Reverend James P. Merseberg, who took over the pastorate of Pearl City Community Church after Higuchi, agrees.

"There is no one who was in Pearl City when the church was built who doesn't remember the energy he put into building the church," he said.

EVERYONE GOT INTO THE ACT

"Businessmen, veterans, school kids, they were all involved."

Besides the Pearl City Church, which was completed in 1959, Higuchi also spearheaded the construction of the Waipahu United Church of Christ in 1950.

Between those jobs he sparked the community of Waimea, Kauai, into building its own regulation sized community swimming pool. Later he helped the Lions Clubs build the visitors' pavilion at Waimano Home.

Like his other churches the Manoa Valley Church is being built by volunteer help—church members, veterans of the 442nd, the local Lions Club, Sunday School parents and community volunteers.

"One man just walked on the site and asked if he could help," Higuchi said. "I didn't say anything; just handed him a hammer."

The new church will boast a dramatically designed chapel which will seat 250. Behind and beside it will be a fully equipped gymnasium, social hall, 26 classrooms, offices, kitchen and basketball courts.

Work on the project was begun last October. Higuchi hopes it will be partially usable by next January.

"We will just keep building until we run out of money," he said.

BULK OF THE WORK BY VOLUNTEERS

Most of the work is being done by the volunteers, although professionals are working on masonry, electricity and plumbing.

Much of the materials for the buildings were donated, and all the heavy machinery was lent by construction companies.

Saturday and Sunday when most volunteers show up the construction area is crawling with men, each with a specific job. Around the buildings women clean up the debris and prepare the ground for landscaping.

On the porch of an adjoining old wooden frame building, other women keep a hearty buffet table going all day.

During the week Higuchi finishes office work, takes care of visitations and prepares the Sunday service during the morning. In the afternoon, he dons his work clothes and keeps building.

"No, I've never studied construction work. My only background in building was watching the soldiers in the Army," he said.

"They were magnificent. They could assemble anything just by finding a part here and a part there."

SERVICES IN RENTED CHAPEL

On Sunday the church members meet for services in a small chapel up the valley that they have rented for years from Kawaiahao Church.

"We hold services early on Sunday then right after that everyone comes out here to work," Higuchi said.

Although the architect estimated the buildings should cost a total of $350,000, Hi-

guchi says the volunteers will build it for $200,000.

"That's all the money we have," he added.

The 120 members of the church have been talking about building a church for more than 10 years.

Higuchi admits that he had construction in mind when he went to the church in 1964.

"Every man has his own work," he said. "I like to build. Just because I'm a minister doesn't mean I shouldn't build.

"When a church gets big—the services are crowded and the Sunday Schools filled—I get the feeling I don't have anything to do."

SHRUGS OFF RECENT CRITICISM

Higuchi shrugs aside recent criticism from Mainland seminaries that churches should spend less time building their own structures and more energy trying to reach the community.

"The church should be the community center," he said. "It should be used for worship, recreation, meetings and education.

"We can do many things with a building we can't do now. When we are done every family in the valley can use it for one or a dozen activities.

"That's why all these community groups are helping us. They have been waiting for a long time for a community center in this area."

Higuchi hopes some day to use the buildings for a nursery and kindergarten, adult education classes, vocation testing and training and dozens of recreational activities.

The church was organized in 1917 as a mission of Central Union Church. In 1951 the church, which is affiliated with the United Church of Christ, broke its official ties with the parent church.

Besides Pearl City and Waipahu churches, Higuchi helped organize the Ewa Community Church. He was also pastor of Waimea (Kauai) Christian Church.

He has been active in prison work serving as director of education and religion at Oahu Prison. A vocal member of the State Board of Paroles and Pardons, he resigned in a dramatic move during a heated controversy between the warden and director of social services in 1960.

Higuchi was the only member of the Governor's prison site advisory committee who voted to keep the prison on Oahu rather than moving it to Maui.

His active and continued interest in veteran and reserve affairs continue to win him honors from these organizations.

WAS DECORATED IN ITALY

While on duty with the 442nd in Italy, Higuchi was awarded the Legion of Merit and the Italian Cross of Military Valor.

He is chairman of the disabled American Veterans' Keehi Lagoon memorial project.

As a colonel in the Army reserve he has served as a chaplain here and in Asia. During a tour of duty in Thailand in 1963 he began projects to help an orphanage in Korat and a school in a nearby village.

"Veterans have helped with every church. It makes me feel good that they remember me from the war days," he said.

Higuchi and his wife, Hisako, live on Halawa Drive. They have two children, Peter, 29, and Mrs. Royce S. (Jane) Fukunaga, 23.

Three years ago he was named Father of the Year in Religion.

Higuchi things the Manoa church will be the last he builds.

"Next year I will be 60 years old. I won't be able to climb ladders to high places then," he said.

"I really want to try to get the community to come to use our church. After we are finished building, I want to work on building up the membership."

Men of the 442nd don't believe this is Higuchi's last church.

"Every year I promise them I won't build any more churches. Every one is the last."

PRESERVING PARKS AND HISTORIC SITES

Mr. YARBOROUGH. Mr. President, our Federal-aid highway program has given America the greatest highway system in the world. Americans can travel by car and bus with great ease and speed. And with the coming completion of the Interstate System it will be easier and more comfortable still. Anyone who has traveled over these great steel and concrete ribbons can only marvel at the engineering skill of those who designed and built them. They are wonders of efficiency. Tens of thousands of cars can travel effortlessly at many different speeds, all along the same smooth road.

At the same time that we are creating a great engineering masterpiece, we should also be aware of a great problem with which we are confronted. Highways take land, and in a country with a rapidly growing population, land becomes an increasingly scarce and precious resource. This is especially true of land which, once spoiled, can never be replaced, such as land which contains parks and historic sites. In some cases, it must be admitted, there may be no feasible alternative to the use of such land for a highway, and if we have decided we must have the highway, then we must reluctantly include as part of our decision the use of such land for the highway, although we should make a maximum effort to minimize the damage.

In many cases, however, there are feasible alternatives to the use of park land and historic site land. In those cases I do not see why the alternative should not be used and the park or historic site be spared.

That is why I introduced an amendment to the Federal Highway Act which would create a national policy to preserve Federal, State, and local government parklands and historic sites, and the beauty and historic value of such lands and sites. The amendment authorizes the Secretary of Commerce to cooperate with the States in developing highway plans and programs which carry out this policy. After July 1, 1968, the Secretary would not approve any Federal aid highway programs which require the use of such parklands and historic sites unless there is no feasible alternative, and the program includes all possible planning to minimize any resulting harm to the park or site.

The amendment has been adopted by the Senate in S. 3155, the Federal Highway Amendments of 1966, and now goes to a Senate-House conference.

I have already inserted into the RECORD considerable supporting evidence for this amendment, beginning on page 17631 of the CONGRESSIONAL RECORD of July 29, 1966. I now ask unanimous consent to insert and print in the RECORD at this point another article on this subject, a very informative article from the July-August 1966 issue of Audubon magazine, by Mr. William F. Wing, under the title "The Concrete Juggernaut."

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

THE CONCRETE JUGGERNAUT—MUST TREASURED OPEN SPACE BE CRUSHED IN ITS PATH?

(By William G. Wing)

(The Author, William G. Wing, veteran correspondent of the New York Herald Tribune, is a specialist on conservation and natural resource subjects.)

The scene from the bus was like a classic battle painting—Napoleon's legions on the height at Jena. It was midwinter. In the heavy morning mist, knots of men dotted the long white slope, clustered around giant machines like artillery, men serving field pieces.

The machines were hammering at the rock under the snow, rhythmic puffs of steam rising into the mist. Around the foot of the slope, trucks and derricks and the heavy equipment of a mechanized force rumbled.

Framed by the heavy mist and the fog on the bus window, the scene had a sweep and power which is in no way conveyed by the fact the men were road builders, working on Route 80, a new expressway in New Jersey.

They were cutting and blasting through the crown of the Hudson Palisades, basaltic trap rock which is a textbook example of natural resistance. The rock had resisted weathering, glaciers and every other natural force for 100 million years. Now it was being sliced like a Holland cheese so a wedge 100 feet deep could be removed to let the expressway through.

Highway builders changed that ancient crag more in a few months than the forces of nature had since the Jurassic period. Engineers had reached this ability to alter the face of the land in just a few generations, their skills sharpened by the public works of peace and the tactical needs of global warfare.

Today, the road builders represent irresistible power. They accomplish feats that once belonged to mythology alone—moving mountains, shifting rivers, leaping chasms. They stand ready, it seems, to lattice the face of the earth with concrete.

Theirs is an awesome force. It is the force that must be reckoned with, increasingly, by those concerned with preserving natural resources in America.

Conservationists have long battled with lumber merchants ravaging forests, industries befouling rivers, land speculators dedicated to the quick buck, and, more recently, big federal agencies such as the U.S. Army Corps of Engineers and the Bureau of Reclamation. These have been almost traditional foes. Road builders haven't been in the same league.

Though the biggest jump in highway construction mileage did occur from 1904 to 1921, road building was rarely a gargantuan force until the superhighway era. Despite the network of early roads, the impact on the countryside was gradual. The roads were narrow, and many were unpaved. There was a lot of open land. If a good fishing stream was blocked or a grove of hickory trees was slashed by the road builders, you could go a little farther and find another stream and, maybe, other hickories. Compared to the great reclamation and dam-building projects of the '30's, road building was a minor landscape changer.

Now the balance is altered. As space becomes scarcer, highways become wider. Any fishing stream or hickory grove knocked out now may be the last in 20 counties. The roads themselves are no longer modest; they are dominating. They no longer meekly follow the topography, because engineers can put them anywhere—over, under, around and through. Roads rival all other engineering projects.

Federal aid to the states for highways is now approximately $4 billion a year. In comparison, the U.S. Army Corps of Engineers gets about $1.2 billion for public works and the U.S. Bureau of Reclamation about a third of a billion.

Furthermore, the highway force is aggressive. No other activity so constantly threatens and intrudes into nature sanctuaries as does highway planning. And no force is harder to reckon with.

Sheer magnitude is the chief reason. The mountain of dollars spent on vehicles and roads each year is approaching 100 billion. If money makes the mare go, this mare must go fast. Too many incomes, too many returns, are at stake to brook much opposition. Since America discovered the automobile, nothing has been too good for the family car and truck. Roads are going wherever Americans want to go. State highway departments have become all-powerful and nearly immune to public pressure.

Who can make the routes swerve to avoid valuable open space?

American highway builders are now a little past the middle of an advanced course called the National System of Interstate and Defense Highways. When the program started, President Dwight D. Eisenhower described it as the biggest public works project in history. The claim hasn't been challenged. Beside the Interstate highway program, the other massive engineering works of mankind—the Pyramids, Great Wall of China, Suez and Panama canals, Noah's Ark and even the Tower of Babel—are small-scale operations.

The facts about American road building are much too vast to be absorbed easily. Road building is the biggest business in America. It is the biggest tax-supported domestic program. One of every seven Americans has a job connected with highway transportation. One of every six businesses is connected with highway transportation. The operations of seven of the ten biggest corporations in the world (three automobile manufacturers and four oil companies) are based on highway transportation.

The Federal Bureau of Public Roads estimates highway users spent $96 million last year to own and operate vehicles. About 12 per cent of this total went into highways. This 12 per cent is an amount almost 800 times greater than the price we paid France for one-quarter of the United States, the Louisiana Purchase slice from Montana to the Gulf of Mexico.

One would imagine from seeing the General Motors Corp. Futurama at the New York World's Fair that the spending and construction limits aren't even in sight. One diorama, you may remember, showed a caravan of machines of the future moving through a jungle in a nonstop clearing-and-paving operation. The machine in front knocks out trees and vegetation with laser beams; the machine at the end excretes the ribbon of concrete.

What word comes to mind? *Juggernaut?* Unlike the irresistible monster of Hindu lore, however, the modern Juggernaut leaves a permanent trail. Highway supervisors say a modern highway has a life expectancy of only 25 years, but it hardly seems arguable that, as a change in the landscape, highways are permanent. Once laid, paved roads tend to stay laid.

General Motors did *not* have a diorama showing an error-correcting caravan, the front machine gobbling up concrete, middle machines plowing and fertilizing, and a rear machine spewing a trail of violets. In the matter of permanence, look at history. Considering the fact that traffic still moves along parts of the Appian Way, the Roman engineers who selected the route 2,285 years ago can be said to have made a fairly permanent decision.

In the United States there are about 3.6 million miles of roads, which figures out to a mile of road for every square mile in the country. The peculiar significance of the Interstate system, however, lies not in its mileage but in the impact of its immense rights-of-way. The interstate system will add only one per cent to the country's total highway mileage—41,000 miles by 1972. However, its effect on the landscape will be much greater than that would seem to indictate, for two reasons:

(1) Three-fourths of the Interstate routes will be through new territory, and (2) the Interstate expressway rights-of-way tend to be about *ten times* wider than the old highway rights-of-way, which were about 33 feet wide.

Before the Interstate program began in 1956, the amount of land in rights-of-way was estimated by some economists at 15 million acres, which is about the size of West Virginia. Going by the assumption that Interstate rights-of-way average about 30 acres a mile, they speculated that the program might add another million acres to the total. The Bureau of Public Roads doesn't keep figures on the acreage of the system, or, if it does, it doesn't give them out readily—presumably because they lead to what the bureau considers grossly exaggerated charges about land gobbling.

Ironically, there is a magnetism that draws these wide swaths of expressways toward places where they are not wanted. The magnetism attracting highways to watercourses, which are easily damaged, is that stream beds furnish the easiest routes through rugged country. The magnetism of parkland or state forestland is that it is open, "undeveloped" and already in public hands.

"The problem up to this point has been this philosophy," George B. Hartzog, Jr., director of the National Park Service, said at the 1965 White House Conference on Natural Beauty, "that if it is a park, it is free, and, certainly, if it is a park, it is open. So it is easy.

"Somehow, they [the highway planners] seem to be able to find a blue pencil that hits the green spot."

Some prime examples:

Route 17, New York's Quickway, is being reconstructed for 18 miles along America's most famous trout stream, the Beaverkill and Willowemoc Creek in the Catskill Mountains.

This is the stream where dryfly fishing is believed to have originated in the United States. The fight to prevent construction in the creek valley failed, but it produced changes in design to lessen the effects on the stream. The fight also produced a classic quote.

A delegation from New York went to Washington to plead that federal money, which is financing 90 per cent of the cost of the project, should not be used to harm the Beaverkill, a national resource. To this a federal official replied:

"What makes you believe a river is more important than a concrete highway?"

Interstate Route 40 is scheduled to cut through Overton Park in Memphis, Tenn. Overton, according to a national conservation official who went out to have a look, is a "jewel" among city parks.

Oklahoma Route 9 is planned for relocation through the Oliver Wildlife Refuge of the University of Oklahoma at Norman.

City officials at Key West, Fla., are pushing for a second highway to the mainland which would slice through Everglades National Park.

California Route 89 may be extended along the western shore of Lake Tahoe, requiring deep cuts in the mountains along the most picturesque side of the lake.

The Alabama Highway Department is still pushing to route Interstate 65 through Wheeler National Wildlife Refuge in northern Alabama. This refuge on one of the Tennessee Valley Authority lakes has been highly successful in attracting wildfowl. The proposed route would bisect feeding and resting areas used by as many as 50,000 geese and double that number of ducks.

Since 90 per cent of the cost will be paid from federal funds, an appeal was made to the U.S. Bureau of Public Roads to support an alternate route, a few miles away, which was suggested by the U.S. Fish and Wildlife Service. Rex M. Whitton, federal highway administrator, commented in a letter to a congressional group:

"Here again the issue is wildlife versus people * * * The conservation groups have opposed any crossing of the area and have suggested that we adopt an indirect routing which would increase costs by several millions of dollars and travel distance by several miles * * * I cannot believe that the welfare of wildlife should be given a priority over that of our citizenry, nor the national defense effort in the area involved."

These are but a handful of the conflicts constantly occurring between those who route highways and those who try to preserve open space. The citations do not even include the *cause célèbre* of modern conflicts, the fight to keep the new U.S. 101 freeway out of California's Prairie Creek Redwoods State Park.

This battle appears to have ended in victory for conservationists—an unprecedented reversal of a decision by California's powerful State Highway Commission. The freeway, at the moment, anyway, is not to enter the coastal park but bypass it on a route proposed by conservationists.

California has other conflicts, however. Among states with auto troubles, California is the archetype. It spends far more on highways than any other state (well over a billion dollars a year), and it contains a combination that guarantees conflicting forces and values—spectacular scenery, a rising population and a desperate need for roads.

The state also boasts a popular reaction against road-building methods called "the freeway revolt." If the state needs roads, you may ask, how can opposition be anything but obstruction—or "reactionary opposition" as indefatigable road and bridge builder Robert Moses recently termed it when talking about his adversaries in a New York City situation. A distinction is needed, and it will also explain the viewpoint of this article:

No reasonable person is against a transportation system any more than he is against bread and milk. Highways are vital. But at a time when the value of natural resources is increasing, because of scarcity, the question of where highways are to be put is just as vital as provision for the highways themselves.

Let us make it clear, then, that the effect of expressways on the land and on the natural world is not incidental and temporary but extensive and long-lasting.

The effects of highways on streams can be catastrophic. These have been well catalogued:

Highways come to stream beds because of easy grades and, sometimes, because the streams furnish gravel. A meandering stream creates expense, however, because of the cost of bridges to jump the loops. Usually it is cheaper to dig a new, short, straight course for the stream and lay the highway beside it. The meander is expendable—but, alas, the meander may furnish not only charm but the habitat of game fish as well. Eliminating the bends can turn a trout stream into a chute.

In Placer County, California, for instance, the Division of Highways relocated the fishable South Fork of the Yuba River to make way for Route 40. Out of two and one-quarter miles of river, 5,045 feet—almost a mile—was eliminated. The Department of

Fish and Game tried to save as many fish as it could, recommending "stipulations" to the contractor, but as an official of the department wrote later:

"This did not work out in practice, mainly because the contractor's interpretation of 'reasonable precautions' to protect the stream was far different from the department's. Despite all that the local game warden and fisheries personnel could do, the trout population in the project area and as far downstream as Lake Spaulding was destroyed."

A survey of 24 Montana streams showed 78.4 miles of stream had been lost to highway and railroad construction. The national loss from straightening meanders must be in the thousands of miles.

A notable campaign against this practice has been waged by U.S. Sen. LEE METCALF of Montana. As part of his "SOS: Save Our Streams" campaign, he published numerous incidents of destruction in the CONGRESSIONAL RECORD. Hearings before the Special Subcommittee on Public Roads, of which he is a member, developed further testimony on stream loss.

Because state fish and game departments keep careful records of some fishing streams, it was possible for witnesses to cite precise before-and-after data for rivers in North Carolina, Michigan, Oklahoma and California. The effect of stream straightening, silt, and loss of vegetation and spawning grounds on game fish was drastic. In firing squad terminology, it was the *coup de grâce*.

The effects of highways on land areas are less well documented, but some are obvious:

One effect is caused by the divisiveness of a modern highway, which can split an area as effectively as a wall. One factor in the Prairie Creek Redwoods State Park case, for instance, was the need to preserve the unity of a complete biotic system. Prairie Creek is the only publicly owned parcel of coast redwood forest that can be considered an ecological unit. All of the watershed is within the park, which includes, as well, ocean beach, bluffs, creek bottom and upland forest. The sophisticated interworkings of this system have evolved over millenia and can be studied and enjoyed for millenia more. A freeway down the middle or along the beach, it was feared, would destroy the integrity of a natural masterpiece.

Highways alter drainage systems, with consequent changes in vegetation and habitat.

Erosion is a serious danger during construction in rugged country. Dr. William A. Niering, director of the Connecticut Arboretum, at New London, has spoken of the danger to a unique ecological system at Mt. Graham, near Tucson, Ariz., caused by erosion resulting from road building. To control erosion of hillsides in California's Golden Gate area, engineers sometimes use elaborate terracing. The end result is spectacular but a long way from the original.

Among other effects of highways is the slaughter of wildlife by cars when roads cut migration routes of big game in the West or deer trails in the East. In Michigan, to cite just one example, a record 6,052 whitetailed deer perished on highways in 1965; the damage to vehicles was estimated at $1.2 million. Many of these deer-car collisions occurred on superhighways.

Loss of nesting areas, introduction of exotic plants to roadsides, damage from roadside spraying, and, psychologically, distress from a road's being too obtrusive in a quiet countryside—these are additional results of highway building.

The effects of highways on ecology—outside of stream damage—seem to have remarkably little documentation. The scientific community is slow in supplying data for an intelligent understanding of the subject.

Just how this lack of hard facts hampers efforts to preserve valuable land is indicated in another paragraph of the letter from Federal Highway Commissioner Whitton quoted earlier in connection with the Wheeler refuge case. Mr. Whitton issued the challenge this way:

"Actually, we are unaware of just how this highway is considered to be detrimental to the continued operation of the refuge. We have conscientiously sought for cases where a highway through such areas has damaged the area's usefulness and have found none. There are no 'before and after' examples known to us or to the Bureau of Sport Fisheries and Wildlife. Contrarily, many examples are in existence which show otherwise. Other than the reduction of the area by the amount needed for the highway we find no effect to this area."

Let us pray the "before and after" examples Mr. Whitton was unable to find are somewhere being assembled. Meanwhile, it hardly requires scientific proof to make the point that highways have far-reaching effects on the natural world.

Highways also have a pervasive influence on national life. Hardly a corner remains unaffected. A mark of the times is the great upwelling of cries from so many different parts of society that since the effects of highways are universal, monumental and everlasting, their planning requires a wider outlook than the traffic engineer's.

"The major highway is increasingly regarded as a tyrant, unresponsive to public values, disdainful of the people it purports to serve."

So states a provocative little booklet called A COMPREHENSIVE HIGHWAY ROUTE SELECTION METHOD, prepared under the direction of Philadelphia landscape architect Dr. Ian McHarg, of the University of Pennsylvania. It continues:

"The cause can be simply identified. It lies in the inadequacy of the criteria for route selection . . . The objective of an improved method should be to incorporate social values, resource values, aesthetic values in addition to the normal criteria of physiographic, traffic and engineering considerations. In short, the method should reveal the highway alignment having the maximum social benefit and the minimum social cost."

Some steps *have* been taken. After prodding by Sen. METCALF, Rep. JOHN D. DINGELL of Michigan, and others, the Bureau of Public Roads issued a policy directive to the states in 1964 requiring consultation between highway departments and state wildlife agencies on federally financed projects.

In testimony before Sen. METCALF's subcommittee, a professional observer said the directive had accomplished some good. But the witness. Richard H. Stroud of the Sport Fishing Institute, added:

"The few beneficial incidents, where significant realignment of highway routes or other modifications beneficial to fish and wildlife resource needs have occurred, have resulted more from the effects of intense pressure exerted on highway departments by an aroused local citizenry than from any national consideration of injury to the affected resources."

A third major factor, in addition to the effects on the natural world and the effects on our national life, that characterizes highway development comes from what might be called the Great American Assumption: That wherever you want to go, there you should be carried in an automobile.

This assumption holds that if the public is to enjoy its great scenic wonders, it must be able to enjoy them from an automobile seat. This means roads in wild areas—a practice which could destroy the resource the park is trying to exhibit. Extreme cuts and fills—and erosion—attendant on new roads in Great Smoky Mountains National Park is evidence of the danger.

The pressure has also led to a split among the planners of public recreation into what might be called the Car and No Car schools. One school holds that the car and highway are only means of getting to the recreation area; the other holds that the trip *is* the recreation.

This, in turn, has led to an evolution in highway philosophy of great import—"great import" meaning billions of dollars in future spending.

It now is an axiom in Washington that "driving is the nation's most popular form of outdoor recreation." A great deal of federal planning is being influenced by this belief, it appears. *This needs challenging.*

As a consequence, the President's Recreation Advisory Council—not a highway board but a recreation council—asked the Commerce Department to make a study for a national system of scenic roads and parkways. The study should soon be published and available for public discussion.

The study envisions a very big program which might include both federal aid state parkways and national park drives, such as the Washington Country and Cumberland parkways. Speculation is that planners are thinking of a 10- to 20-year program which might cost from $4 billion to $8 billion.

The study is said to be an intelligent one, advancing the concepts of the parkway and the scenic corridor. It also is said to be concerned with the protection of environmental features. Three out of every four miles of suggested parkways and scenic routes would be over existing rights-of-way.

The point to reiterate, however, is that this is a recreation, not a transportation, program. None of the old transportation arguments about necessity and not blocking progress have validity here. The only argument is how best to spend up to $8 billion on outdoor recreation—on roads in the open spaces, or on open space itself? A million dollars buys less than a mile of auto parkway, but it buys a great deal of foot trail.

Obviously this is a critical time to ask questions about highways.

The Interstate construction program will end, as of now, in 1972, along with the Highway Trust Fund which provides the Federal share—$42 billion as of now. Temporary taxes are now going into the fund are scheduled to die also, but no one seems to believe they will. The odds are, then, that there will be tremendous, multi-billion-dollar pressure to continue a giant highway construction program.

Where will the roads go? What ground will they cover?

The Bureau of Public Roads is now engaged in what it calls the most comprehensive transportation study in history. The result will undoubtedly guide future policy. Thus today is the time to decide the direction of future highway building.

"Therefore, we must make sure," President Johnson told Congress, "that the massive resources we now devote to roads also serve to improve and broaden the quality of American life."

Exactly! And we must make certain that nature is an essential component of the quality of American life.

EAST-WEST CENTER

Mr. FONG. Mr. President, the Honolulu Star-Bulletin & Advertiser of last Sunday, August 14, contains an excellent objective summary of the activities, accomplishments, and future goals of the East-West Center for Cultural and Technical Interchange Between East and West, located in Hawaii.

Entitled "East-West Center—A Restless Quest," the article cites progress of the Center in fostering understanding, friendship, and good will among the Pacific Basin communities through

knowledge, cooperation, and sharing of work and social experiences.

Also cited are the growing support of Asian and Pacific countries and universities of their nationals who participate in Center programs; the growing support of private foundations and organizations for East-West Center activities as working partners toward better Asian-Pacific relations; and the steadfast support of civic groups such as the Friends of the East-West Center, who "adopt" Center participants from abroad to extend a family-type welcome to them.

As one of the original cosponsors of the Center, which was created by Congress in 1960, I take pride in the real and substantial progress of the East-West Center. In a very literal sense, the modest annual investment of the American taxpayers in this institution is an investment in future peace.

Three times during the past 25 years our Nation has been involved in wars in this vast area of the globe—wars started not by us but by misguided aggressors who sought to achieve their national goals by means of brute force. Each time, America, at great cost in blood and treasure, acted to repel the forces of aggression.

More than one-half of the world's people live in that tremendous expanse of the globe including Asia and the Pacific. Their future affects our future. Their destiny affects our destiny. Their progress affects our progress.

We can no more ignore the press of events in Asia and the Pacific area than we can ignore the press of events in Europe. Our enlightened self-interest and our yearning for peace demand that we help shape attitudes and events in Asia and the Pacific so that we and the millions of people in that area can move ahead in concord and amity toward a better life for all.

What the East-West Center seeks to do is to stimulate the achievement of a better life for the peoples of Asia and the Pacific and for Americans through self-help, technical assistance, knowledge, mutual efforts toward mutual problems, and greater understanding. In that sense, the Center is an instrument of peace.

Because the Congress created the Center and because Congress is vitally concerned about the tide of events in Asia and the Pacific, I ask unanimous consent that the entire article be printed in the RECORD at this point.

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

EAST-WEST CENTER—A RESTLESS QUEST

"The winds of hope are blowing fresh and strong off the Pacific and they are blowing throughout free Asia. We are partners in stirring that excitement."

Anyone who doubts these words, recently addressed to Australia's Prime Minister Harold Holt by President Johnson, ought to visit the East-West Center.

Brisk is the word for the winds sweeping that unique community of scholars and students where, as Governor Burns once put it, "Uncle Sam talks with Confucius and Buddha, and all come away enriched."

The Center's accomplishments in six short years are not only honored as part of Hawaiian history; they also add up to a significant success story in mankind's long and too often futile effort to head off human conflict before it begins.

In the just-concluded fiscal year—the Center's first under the chancellorship of Howard Palfrey Jones—indices of growth have been especially impressive.

The East-West Center, under Jones, remains faithful to its goals:

To improve communication among the great civilizations of East and West.

To facilitate the search and exchange of knowledge needed to solve problems on both sides of the Pacific.

To heighten understanding among Asians, Americans, and Pacific peoples.

To substitute intellect for emotion, knowledge for ignorance, reason for prejudice.

To deal rationally with differences, seeking better solutions to mankind's conflicts than half-truth, hatred and war.

TOWARD TWO QUALITIES

Like his predecessors, Chancellor Jones' stress is on the two qualities that make the Center unique. One is interchange. Asians, Americans, Pacific peoples meet, live, play, and work together, in association with a university of uncommon strength in Asian-American studies, and in a community that has elevated human understanding to an art.

The second is equality—not only in the treatment accorded scholars and students, regardless of their religion or race—but in the respect paid to the heritage of every country, in the value place on the insights and outlooks of each, and on "the true synthesis," as University President Thomas Hamilton has said, "of the intellectual and cultural traditions of the East and West."

On Manoa Valley's East-West Avenue, in short, the traffic in ideas continues to move along a two-way street. Asians, Americans, Pacific peoples are learning that while familiarity does not necessarily breed affection, neither does it always breed contempt. Men and women of 29 lands are discovering their common humanity, their mutual interdependence, and their collective ability to solve problems in peace.

Held down by Viet Nam war expenditures to an annual budget of $5.8 million—about the cost of two F-105 Thunderchief Fighter Bombers, and the figure at which the Bureau of Budget has pegged the Center for the past several years—the Chancellor has sought to capture the interest of educators all over the world, to work out cost-sharing agreements with other institutions, and to win support from foundations involved in East-West affairs.

OTHERS HELP

The Center's efforts have been successful. The Asia Foundation, the Asia Society, the National Institute of Mental Health, the Association for Asian Studies, the Agricultural Development Council are but a few of the organizations which have turned to the Center as a partner in new programs.

Aware of the Center's unique mid-Pacific position—with the University of Hawaii, it is closer to Asia than any other major American educational institution—they have made the Center an important site for Pan-Pacific conferences and seminars.

Increasingly, Asian nations and universities are contributing to the cost of sending, educating, and maintaining their nationals at the Center. Innovative, and, in many cases, experimental, the Center's imaginative programs comprise the cutting edge of the United States' new initiative in international education.

While headlines have blazed away on death, destruction, and escalation in Asia, the Center's "engineers" have been quietly building a bridge that, given time, can join Asians and Americans together in pursuit of their aspirations, and help end their mutual ignorance and isolation.

Every citizen with a son or daughter in school or in the services, every sufferer from Ho Chi Minh headaches, China Policy jitters, and Viet Nam blues, should take heart from the Center's progress in the just-completed fiscal year.

TO 29 COUNTRIES

Overall 4,142 Asians, Americans, and Pacific peoples—to say nothing of 65,000 visitors—have participated in Center programs since that October day in 1960 when Congress decided "to set up in Hawaii a Center for Cultural and Technical Interchange Between East and West."

Last year, their numbers were augmented by another 837, including 625 graduate students in the Institute for Student Interchange, 173 technical trainees in the Institute for Technical Interchange, 39 senior specialists in the Institute of Advanced Projects—the largest body of scholars and students in the Center's annals.

Almost 20,000 tourists, additionally and importantly, took time from their pursuit of pleasure to include the Center among Honolulu's sights. In the words of one, "Had there been an East-West Center 30 years ago, maybe there would not have been a Pearl Harbor."

The Center's reach stretches today to 29 countries. In South Asia: India, Ceylon, Pakistan, Afghanistan, Nepal. In Southeast Asia: the Philippines, Indonesia, Malaysia, Singapore, Thailand, Burma, Cambodia, Laos, Vietnam. In East Asia: Korea, Okinawa, the Republic of China, Hong Kong, Japan. In Oceania: Australia, New Zealand, Fiji, Tonga, American Samoa, Western Samoa, Tahiti, Trust Territory, New Guinea. And, of course the United States.

The mind boggles at the thought of finding, selecting, dispatching, and greeting—to say nothing of educating—so many young men and women from such distant lands. Only yesterday, Nepal was as shut-off as Tibet. Today, there are three Nepalese at the East-West Center, with another three scheduled to arrive in September, and one more for next spring's semester. Afghanistan—four students already here, and another scheduled for September.

Other aspects of this international ingathering that strike the eye and mind are the combinations: Malaysian and Indonesian students work side by side. Pakistanis mourn Shastri's death with Indians. Foes at home, here they are brothers. And new faces have been added to the human wealth of the Pacific, represented at the Center: Cook Islanders, New Guineans, Yapese, Tongans, and Tahitians.

Somehow, the Center has reversed the shrinking value of the dollar. With no more money than it had before, the Center will house, feed, and educate 752 graduate students this September—an increase of 171 over the previous year.

"Hawaii's special character," said Chancellor Jones, "continues to contribute immeasurably to the success of our programs. In the words of one Vietnamese.

"The visit to the State of Hawaii constituted the last step of our trip, and I must say, one of the most profitable steps. The program was very well organized, which permitted us to meet the men responsible for local government and the leaders of civic groups, and at the same time to visit on-the-spot agricultural and industrial installations.

"Public participation in government—either directly or by means of civic groups—is more impressive here than elsewhere because of the fact that the population of Hawaii is of a more cosmopolitan composition than in any other state.

"Among the nine members of the Maui County Council, seven are descendents of

different national groups. Similiarly, the Hawaiian Homes program, whose goal is to rehabilitate the Hawaiian race by helping them to return to the ancestral lands, and the Adult Education Program, which offers a basic education to the people are services worthy of the highest praise!"

THE COMMUNITY'S PART

The Center's pace has also been quickened in other areas, including community affairs.

"Friends of the East-West Center," recently honored by the Lane Bryant Annual Awards Committee as one of America's outstanding volunteer service organizations, has this year inaugurated a Host Family program.

"Newly-arrived grantees are met at airport or dock, and 'adopted' by 200 Hawaiian families as part of an enduring foster-family relationship throughout their stay. The 'Friends' will be beneficiaries of the Pacific premiere of Michener's forthcoming film, 'Hawaii.' "

In addition to encouraging program innovation, Chancellor Jones has worked toward tighter integration of the Center's three institutes, closer relationship with the University of Hawaii, and broader association with other educational institutions, Asian and American.

Despite a year of accomplishment, the mood of the Chancellor, and of the Center, is one of restless quest. Every visitor from Asia and the mainland is asked the same questions: "How can the Center better serve the needs of our peoples? How can the Pacific world find freedom, prosperity, and peace?"

A LONG FUTURE

Plans are afoot to tap the greatest human resource of all, the grantees themselves. Sample interviews with over a hundred students last spring produced a harvest of opportunities for improvement of present activities, and enabled the Center's staff to glimpse its faults and successes from student perspectives.

Above all, the Chancellor is gnawed by the eternal challenges the Center confronts—challenges to its own most cherished assumptions, not excepting the value of interchange itself.

"We're too new," he says, "to know the answers in cross-cultural communication. I doubt whether in my own lifetime or even in the lifetime of our youngest student, the full significance of what the Center is attempting will be revealed.

"All I know is that there's something very satisfying in the search, and something very healthy in our acknowledgment that the answers are elusive.

"As long as the Center is in ferment, resisting self-satisfaction, and eternally probing the mysteries of the human mind as molded by so many cultures, there is hope that in the end, man may understand himself.

"Maybe malamalama—the light of knowledge—can save the world. Perhaps it can't. Either way, I still take heart when I think of what one student said when she left the Center:

" 'It has been said that life is a series of relationships. If this is so, then I shall always remember the warmth of friendship between East-West Center people. After all, when I am old, I may not remember very much Chinese, but I will never forget my roommate from Nepal.

" 'The light of book learning may fade, but the warmth of human love grows with the years. And so I leave the East-West Center with a special thought. When Goethe died, he cried, "'Light, light, more light!" But a Spanish philosopher has suggested that it is not "Light, light, more light." Rather, it is "Warmth, warmth, more warmth!" For we perish not from the darkness but from the frost.' "

SEVENTY-FIFTH ANNIVERSARY OF SZABADSAG HUNGARIAN DAILY

Mr. LAUSCHE. Mr. President, 75 years ago this year, a rebellious young man from Hungary, newly arrived in Cleveland, decided to risk all—including $600 in borrowed capital—in a tenuous newspaper venture.

He aimed it at the thoughts and dreams of the half dozen or so Hungarian-American communities springing up along Lake Erie's industrial southern shore.

He told his readers that liberty is not something to be taken for granted but must be fought for as in a battle and preserved as a sacred trust.

Hungarian-Americans soon were subscribing in increasing numbers to the publication and, in their hearts and actions, honoring the democratic ideals it professed.

Today, 75 years and millions of copies later, this leading foreign language newspaper is the largest independent Hungarian language daily in the world. Its circulation embraces readers in nearly half the free nations and virtually every first- and second-generation Hungarian family living in northeast Ohio.

It has rallied Americans of Hungarian descent to the cause of freedom and justice in two World Wars and worked diligently to implant the ideals of its adopted land in all countries torn by totalitarian rule. Most important, it has served to make the Hungarian immigrant part of the sturdy fabric of American life.

The name of the rebellious young editor was Tihamer Kohanyi. His legacy: Cleveland's own Szabadsag Hungarian Daily.

THE GROWING YEARS

Hungarian-language paper debuts in Cleveland as weekly on November 12, 1891. Its name Szabadsag stands for "Liberty." Its home: two small rooms at 1036 Woodland Avenue.

Readership expanding, Szabadsag becomes daily in 1900, moves to 702 Huron Road. Big growth impetus is Hungarian immigration to United States which is in process of tripling.

Led by Editor Kohanyi, paper spearheads effort to build statue of Hungarian War of Independence hero, Louis Kossuth, in Cleveland. Unveiled in 1902, statue is still familiar University Circle landmark.

Szabadsag sponsors erection of George Washington monument in Budapest, Hungary, in 1906. It remains the only such memorial to a prominent American figure behind the Iron Curtain.

Its influence now national, Szabadsag is instrumental in the founding in 1906 of the first representative national Hungarian organization in this country, the American Hungarian Federation.

Szabadsag's voice of freedom is banned in Hungary in 1907 owing to a series of anti-Hapsburg articles published by the paper.

President Taft is main speaker at Cleveland banquet honoring Szabadsag on its 20th birthday in 1911.

With Hungary an unwilling Axis ally, World War I becomes divisive force among Hungarian-Americans. Szabadsag editorializes:

The time of theorizing is past. The Hungarians of America know their duty and, as part of the American Nation, they stand by their country.

Szabadsag protests over the Treaty of Trianon, which dismembers postwar Hungary, reverberate far beyond U.S. borders. So strong and insistent is the plea for justice that Congress quotes its articles in these years.

The 1920's and Szabadsag reaches peak circulation worldwide.

A young reporter joins the paper in 1933, moves up to the editor's desk in 1939 and relocates Szabadsag offices at 1736 East 22d Street. Said Zoltan Gambos:

They said it was a dying affair and that foreign language dailies were on the way out.

In 1941, Franklin Delano Roosevelt sends this White House greeting:

My hearty congratulations on the completion of a half century of publication. I trust through long years to come your paper will exemplify the principles of true Americanism.

World War II. Szabadsag, denouncing the "isms" sweeping Europe, becomes one of the area's best war bonds salesmen, accounting for millions of dollars worth of purchases by V–J Day.

In postwar years, the paper's emphasis shifts to newer generation Hungarian readers. Szabadsag prints understandable translations of the Constitution, Declaration of Independence, and other historical American documents, and institutes an English language supplement for young people.

SZABADSAG TODAY

Still strong, still publishing on a daily basis, Szabadsag today is read regularly by more than 25,000 readers, most still concentrated along the southern rim of Lake Erie, a few as remote as French Foreign Legion outposts in north Africa.

News is culled from all points on the globe—Szabadsag has regular correspondents in London, Paris, Rome, Vienna, Buenos Aires, and Sydney, Australia—and edited and printed by some 40 full-time employees, many with over a quarter century of Szabadsag service.

Editorially, Szabadsag still caters to the Hungarian reader's special interest in Hungarian happenings the world over. But contents now principally stress general interest news.

Szabadsag is one of a family of Hungarian language papers published in Cleveland by the Liberty Publishing Co. The entire group numbers eight publications, including the New York Hungarian daily, Nepszava—The People's Voice—second only to Szabadsag as leader in the field.

The offices and publishing plant are still at the 1736 East 22d Street location.

I salute the Szabadsag in this year when it is celebrating its 75th anniversary.

My commendations go to Zoltan Gombos, present publisher and editor, for the devoted services he has rendered for his readers and especially for his helpful influence in serving the cause of the United States. He is a distinguished citizen of Cleveland.

My best wishes go to him and to the Szabadsag for its continued success.

SUBCOMMITTEE ON INTERGOVERNMENTAL RELATIONS MOVES INTO NEW HEARING PHASE

Mr. MUSKIE. Mr. President, the Subcommittee on Intergovernmental Relations, which I chair, was established in 1962, and specifically authorized "to examine, investigate, and make a complete study of intergovernmental relationships" between the Federal Government and the States and municipalities. It was also instructed to evaluate studies and recommendations of the Advisory Commission on Intergovernmental Relations, a bipartisan group of representatives from all three levels of government and from the public. A very large share of the work produced by both the subcommittee and the Advisory Commission has been directed to identifying problems, and recommending solutions, with respect to the administration of public programs at the city level, at the metropolitan level, at the State level, and at the Federal level.

Today the subcommittee began the first of a series of comprehensive hearings directed to the three basic problems in contemporary Federal-State-local relations: manpower, management, and money. Our initial hearings deal with the manpower crisis—the shortage of good technical and professional personnel, the inadequacy of personnel administration and training, unreasonably low salaries of State and local administrators, and the lack of effective merit systems among many State and local governments.

The focal point of these hearings is the proposed Intergovernmental Personnel Act (S. 3408), which I recently introduced and which has 12 cosponsors. We have started with the manpower crisis because we feel that public development programs—however dynamic and funded—are only as effective as the people who administer them. While many are experiencing growing concern over inadequate program administration in our cities and in our rural areas, few have recognized that the need for competent manpower is undercutting the promise of Great Society programs.

This issue will be explored in depth during the remainder of this year, and in the coming session. Further, it is expected that these proceedings will assist the administration in its effort to develop legislation on this vital subject.

Shortly, the subcommittee will begin hearings on the management problem in coordinating Federal, State, and local programs for maximum benefit to the people who need them most. Preparations for these hearings, which will include the States, the cities, and our rural areas, have been going on for some time. The subcommittee has completed an extensive survey of the views and attitudes of hundreds of Federal, State, and local officials on dozens of questions which directly involve the success or failure of public development and services. In this area, the Advisory Commission has provided a basic library of reports and studies to augment the subcommittee effort, and has prepared proposed legislation and administrative recommendations for cities, counties, and States to adopt in improving their planning and management capability.

On the basis of these efforts, I recently introduced a bill (S. 3509) to establish a special unit in the Executive Office of the President to coordinate Federal programs, and develop a closer liaison between the President and State and local leaders in the planning and implementing of their public development programs. Called the National Intergovernmental Affairs Council, it would have a "working secretariat," it would act as a policy arm of the President to straighten out Federal conflicts, and it would develop a better understanding of State and local economic and social problems at the executive level. Hearings on the management issue will be centered around this legislation, but will explore many other suggestions for putting the Federal house in order, and improving intergovernmental relations.

On the matter of money, at the subcommittee's request, the Advisory Commission has already begun an exhaustive study of taxes, charges, and intergovernmental aid, and of methods which can provide more effective financing of public programs by our cities, our States, and at the Federal level. The recommendations of the commission, together with recommendations of a number of experts and organizations involved in analyzing intergovernmental fiscal problems, will also receive a full hearing by the subcommittee next year. The subcommittee recently issued a report entitled "Federal Expenditures to States and Regions," which analyzed the economic impact of total Federal spending on the States and their localities. We found, as we long suspected, that the richer States enjoy a proportionately higher advantage under Federal expenditures in general, and defense-related expenditures in particular. The issues highlighted in this report will also be included in the consideration of the State and local money problem.

The goal of the Subcommittee on Intergovernmental Relations is to ferret out the obstructions to a "creative federalism" and to provide the methods and machinery for modernizing public administration at all levels, and for combining resources to meet priorities.

Mr. President, in the course of our consideration of S. 3408 this morning, the Honorable John W. Macy, Jr., Chairman of the Civil Service Commission, provided us with a sober assessment of the manpower problems facing State and local governments. We welcome his cooperation on behalf of the administration in the days ahead. I ask unanimous consent that Mr. Macy's remarks and my opening statement be printed in the RECORD at this point.

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

STATEMENT OF JOHN W. MACY, JR., CHAIRMAN OF THE CIVIL SERVICE COMMISSION, BEFORE THE SUBCOMMITTEE ON INTERGOVERNMENTAL RELATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS OF THE U.S. SENATE, ON S. 3408, "INTERGOVERNMENTAL PERSONNEL ACT OF 1966," AUGUST 16, 1966

Mr. Chairman and Members of the Committee: I am pleased to be here this morning in connection with your consideration of S. 3408. I am particularly pleased because this gives me an opportunity to thank you personally, Mr. Chairman, the members of the Committee, and the staff for the fine public service you have performed in defining and highlighting a critical need of our times, and in charting a course of action to meet it.

Through your careful studies over the past three and one-half years and your incisive analyses, you have clearly established the need for more effective cooperation—massive cooperation if you will—among all three levels of Government. You have clearly demonstrated that it will take more than the usual kind of grant-in-aid programs and more than a piecemeal approach to overcome the problems of today and meet the challenges of the future. You have clearly shown that an immediate need is to assist our hard-pressed colleagues at the State and the local level in a positive and comprehensive way. Perhaps most important, you have been the prime movers in stimulating others to do something about meeting these needs.

S. 3408 is a logical extension of your efforts. It is based on the recognition that a program is only as good as the people who administer it at whatever governmental levels it is carried out. Unfortunately, as you have pointed out so well, intergovernmental cooperation in the field of personnel administration has lagged behind all other types of intergovernmental relations. Through greater cooperation the Federal Government could assist State and local governments in their efforts to improve their own personnel administration. But barriers, both psychological and statutory, have obstructed such cooperation.

There has been a long history of rivalry between jurisdictions and a deep-seated fear of encroachment by the Federal Government. The statutory barriers have blocked joint use of training facilities, personnel exchanges, and other services necessary for top quality administration.

We heartily endorse the broad-scale approach recommended in S. 3408. It is generally in line with the objectives set by the President in his speech delivered May 11, 1966, at the Woodrow Wilson School of Public and International Affairs at Princeton University. We support appropriate measures for extending and improving personnel administration on the basis of merit at the State and local level. We cannot ignore the great need for both in-service and out-service training of State and local personnel, as well as for pre-service training of people who intend to make careers in the public service.

The President has expressed his intent to make recommendations next year for training for State and local public service through support for individuals, universities, and State and local governments. We are now analyzing your proposal as part of developing the Presidential program for introduction in the next session of Congress. Consequently, a full-fledged, formal Administration position of each provision of S. 3408 would be premature at this time. It suffices to say that your proposals will certainly carry great weight in our current planning. The work you have already done is of tremendous help to us. Many of your ideas may be embodied in the program the President will endorse.

The dimensions of this subject are staggering. State and local governments employ well over four million persons, not counting the public schools and universities, in a vast array of occupations. Under a myriad of statutes and grant programs the Federal Government is already spending sums roughly estimated at $150,000,000, again not counting the even greater amounts going to the education of public school teachers. Many of these existing programs deal with narrow, specialized purposes that have been implemented with little or no central coordination. It is clear that much study and consultation will be necessary to bring some order into and fill in the gaps in the development of quality manpower for the pressing needs of our public services.

We are well along in our initial staff study of the various possibilities for the Presidential program. We hope soon to be consulting with your committee and with other knowledgeable and concerned people in government, the academic world, and elsewhere to obtain the advice and assistance we need to develop a sound and effective program.

Further, the President has already announced that he will submit legislation that would provide a broad uniform authority for Federal agencies to arrange temporary interchanges of personnel with State and local public jurisdictions when such exchanges would be of mutual benefit to the agencies concerned. We have made substantial progress in developing such a proposal.

The interchange idea is not new, and its value has already been demonstrated in previously established programs in industry, institutions of higher learning, and the Government. There are many areas of parallel functions which require the application of similar skills. The temporary assignment of high quality personnel to related organizations brings to bear needed skills on mutual problems and also broadens the perspective of professional and technical personnel.

Thank you for affording me the privilege of discussing this important matter with you.

THE MANPOWER CRISIS: A THREAT TO THE GREAT SOCIETY

(Opening statement of Senator EDMUND S. MUSKIE, chairman, Subcommittee on Intergovernmental Relations, for the hearings on S. 3408, the proposed Intergovernmental Personnel Act of 1966 August 16–18, 1966)

This bill, S. 3408—the Intergovernmental Personnel Act of 1966—is concerned with the crisis in recruiting and retaining qualified personnel that is now confronting State and local governments. Manpower is one of the most critical dimensions of contemporary intergovernmental relations, but it has yet to become a focal point of creative federalism. The President briefly touched on it in his May 11th address at Princeton University, when he endorsed a national program to assist "State and local governments seeking to develop more effective career services for their employees". A Presidential task force is now considering ways of implementing this goal. By focusing on one approach to achieving this objective, these proceedings will complement the efforts of this task force.

The bill that is before us grew out of an increasing awareness on the part of the Subcommittee on Intergovernmental Relations—

That good management practices alone will not solve the administrative problems of the Great Society programs;

That additional Federal financial assistance alone will not surmount the challenge to State and local governments of improving the quality of life in the ghettos, in blighted rural communities, and in ugly urban areas;

That greater flexibility and uniformity in the administration of grant programs alone will not lessen the tension between and among Federal officials, governors, mayors, civic groups, and citizens who expect effective and humane governmental action; and

That a greater decentralization of decision-making alone will not reduce the pressures on Washington.

In its survey "The Federal System as Seen By Federal Aid Officials," the subcommittee found that manpower was one of the weakest links in the chain of cooperative federalism. The 109 middle-management administrators of Federal grants participating in this study indicated a basic awareness that the success of their programs depended in large measure on the talents of their State and local administrative counterparts. With the increase in the number and scope of the Federal aids, they recognized that implementation of joint-action programs has become a major responsibility of State and local governments, and they conceded that the rapid expansion of this administrative partnership necessitates a re-examination of intergovernmental personnel relationships.

In general, these Federal aid administrators were skeptical of, indeed largely hostile to, existing State and local personnel practices. A substantial majority expresed concern over low salaries, the inadequacy of in-service training programs, and the lack of across-the-board merit systems. More than three-quarters considered the inability to transfer retirement benefits and the loss of seniority rights as significant deterrents to job mobility. And, in a rare display of innovative enthusiasm, a majority agreed that the operation of their programs would benefit with the establishment of a federally-supported in-service training program.

The responses of these Federal executives were largely conditioned by their desire to extend their own standards of specialized competence to their administrative counterparts at the other levels, and to thwart any injection of partisan politics into their functional relationships. These concerns underscore the accuracy of Professor Charles Adrian's assessment that, in our cooperative Federal system, conflict does not stem from the relations between the levels of government as such, but in two other ways. First, "friction results whenever the administrative personnel of a particular level for a particular function is not fully professionalized." Second, there is friction between the bureaucracy and the legislature, and this rises out of the "differences in values, interest, constituencies of the two decision-making groups." In effect, the Federal middle-management aid officials participating in the Subcommittee's survey were seeking in their own way to reduce tension in both areas.

As a follow-up to these survey findings, I instructed the Subcommittee staff to determine the dimensions of this manpower crisis and what steps might be taken to alleviate it. Our research revealed that the roots of the crisis stemmed from the paramount fact that States and localities—not Washington—have shouldered most of the burden of meeting the mounting public demand for more and better governmental services—during the past two decades. This dramatic performance can be chronicled in terms of money and in terms of manpower.

First, the facts of fiscal federalism reveal that there has been a shift in the balance of governmental finances over the past two decades:

Of total revenues raised by all levels of government in 1946, State and local governments accounted for only 23 percent; by 1965, their share was 43 percent.

Of total governmental expenditures in 1946, State and local governments accounted for only 15 percent; in 1964, this had increased to 42 percent.

State and local governments accounted for only 5 percent of the total public debt in 1946; today their share has increased to 23 percent.

State and local governments, then, have been and are under great pressure to increase outlays for public services, and this will continue for the foreseeable future. They have made extraordinary efforts in the past two decades to meet their rising needs—to the extent that last year, their expenditures constituted 68 percent of all spending for civil government. And five years from now, their expenditures are expected to reach the $120 billion mark—or $10 billion more than the projected Federal budget for all purposes, including defense and foreign policy commitments.

Second, developments in the manpower area have paralleled those relating to money. State and local employment has now reached the 8-million mark, an increase of 130 percent over the 1946 figure. Analysis of the evolving employment pattern for State and local governments reveals some striking shifts from that of a generation ago. From 1954 to 1964, special districts, school districts, townships, and States—and in that order—enjoyed higher employment rates than the 4.3 average annual increase that characterized overall State and local hiring during this decade. In terms of functional categories, State and local employment in police protection increased by 30 percent from 1957 to 1964, and in public health and hospitals by 41 percent. The number of full-time public employees in education soared by 60 percent, and those in public welfare by 62 percent. Finally, of the total manpower involved with civil governmental functions, the State and local sector now accounts for over 80 percent. In short, State and local public service has experienced a remarkable transformation during the past two decades, in terms of size, hiring units, occupational composition, and added responsibilities.

The reasons for this massive growth are known to most of us. The population boom, the demand for expanded services generated by it, the physical and social problems stemming from urbanization and suburbanization, and the unwillingness of an increasing number of American citizens to settle for the level and quality of services provided a generation ago—these are the most obvious causes of this employment explosion. But others should be noted. The rejuvenation of the States and of the smaller, non-metropolitan local governments figures in this development. The disproportionate growth in the size of these age groups requiring extensive public services—the young and the old—is another factor that must be considered. And the stimulating effect of expanded Federal grant-in-aid programs and activity cannot be ignored.

Most of this largely unheralded revolution in State and local employment, then, is explained in terms of dynamic demographic and social developments that have affected all levels. But, as I have noted, Federal action, directly or indirectly, has also been a contributing factor. So we have reached the point now where States employ more than 2 million workers with a monthly payroll of $850 million, and where local governments employ nearly 6 million workers with a monthly payroll of $2.5 billion. We have also reached the point where we can take little comfort in these figures.

The foregoing clearly demolishes the myth that the States and localities are withering under the glare of a Federal sun. But it does not clearly indicate that manpower is one of the most critical intergovernmental issues confronting us. The galloping growth rates, after all, tend to conceal the many troublesome topics that combine to create a crisis situation.

Recent reports, however, indicate that there already exists a shortage of well-trained and highly-qualified personnel, especially in the administrative, professional, and technical categories—at all levels. Many well-trained and well-qualified employees of State

and local government were hired during the Depression years and are now approaching retirement. More than one-third of all municipal executives, for example, fall in this category and are slated for retirement in this decade.

When the long-range implications of prospective State and local manpower needs are considered, this gap yawns even wider. As the President pointed out in his Princeton University speech: "By 1970, our State governments must grow by more than 600,000 to keep pace with the times. Employment for State and local government will exceed 10 million persons. Each year over the next decade, our Nation will need 200,000 new public school teachers to keep up with the growing population."

Other chilling statistics can also be cited. Witness these facts:

Approximately half the Nation's municipal health directors will be eligible for retirement within the next ten years;

Two hundred vacancies for traffic engineers will occur annually in the years ahead, but only approximately 50 new graduates will be available each year in this specialized field;

Two vacancies will exist for every graduate of a university course in city or regional planning; and

By 1980, local governments alone will have to recruit approximately 300,000 additional administrative and professional employees to maintain their current program objectives.

These forecasts of manpower shortages have implications extending far beyond the individual programs, communities, and States that are affected. They indicate that we cannot be sanguine about that 8 million employment figure. They reveal that State and local governments generally—and not just a few of these jurisdictions—are having serious difficulty in attracting and holding professional, managerial, and technical personnel. Finally, they promise that these jurisdictions will face even greater difficulties in the years ahead.

These estimates of State and local personnel shortages, then, clearly indicate that manpower is as critical to improved intergovernmental relations and to "creative federalism" as any other single issue. At the Federal level, the personnel problem has received almost continuous attention since President Kennedy's appointment of the Randall Commission in 1961. At the State and local levels, however, it is only beginning to be recognized as a topic worthy of national concern.

The findings of the Subcommittee on Intergovernmental Relations indicate that we must mount a broad-gauged attack on the many forces that face us on the manpower front. Piecemeal resistance no longer will suffice. The threat is just that critical.

I believe the measure before us constitutes a realistic response to many of the critical challenges that confront us in this vital area. I also believe that it constitutes a national program that will implement the President's goal, enunciated in his Princeton address.

The main purpose of this legislation is to encourage State and local governments to improve the quality of their own public service. It does this by focusing on three prime problems in the manpower area: merit requirements, personnel management, and in-service training programs. How does the proposed legislation attack these problems, and what are some of the questions raised by its strategy?

Title I authorizes the President to extend to additional programs the requirement that State and local people administering such programs be employed under a merit system which would meet certain basic Federal standards. There is nothing new or revolutionary in this title. Such requirements have been in effect since 1939, when they were added to such programs as Old Age Assistance, Medical Assistance for the Aged, Unemployment Compensation, Aid and Services to Needy Families with Children, and the like. In recent years, the requirement has been included in the Older Americans Act of 1965, Health Insurance for the Aged, and Medicare. All told, some 24 programs out of a total of 169 now carry the merit system requirement. Most are administered by the Department of Health, Education, and Welfare, but grants under DoD's Civil Defense program are covered by it, and in 1964, the Department of Labor's Appropriation Act applied the requirement to the Federal Employment Service. The specifics of this requirement will be inserted in the record at the end of this statement.

Accurate figures on the extent and coverage of State and local employees under State and grant-in-aid merit systems are not available. But from reports we do know that, of the total full-time State employees, something less than half are covered. Of a total of 2 million State government employees reported for 1965, nearly a million—or 47.8 percent—were under a merit system. In 26 States, more than 50 percent of the full-time employees are covered. In Connecticut and New York, about 85 percent of State employees are so classified. In 12 States, however, coverage is minimal, and includes only personnel administering those Federal programs requiring such a system. In these States, the proportion of total State employees covered ranges from 4 to 35 percent. It should be noted here that this is only a quantitative picture of merit system coverage; the qualitative side is less well known, and I hope these hearings will shed some light on this elusive feature.

Meaningful figures on local coverage are unavailable. What evidence there is indicates that merit systems are virtually nonexistent in most non-metropolitan units of local government, and in a majority of counties. The general impression overall is that merit is truly a principle and rarely a practice at the local level. Yet it is precisely this level that has experienced the most intense pressure from new programs and increasing numbers and concentrations of people. One of the recommendations advanced by the Committee for Economic Development, in its recent and widely-publicized report "Modernizing Local Government," is a case in point. The report reads:

"Personnel practices based on merit and professional competence should replace the personal or partisan 'spoils' system found in most counties and many other local units.

"Specialized skills are increasingly essential to solution of most governmental problems, whether in highway engineering, public health and sanitation, police and fire protection, education, pollution control, slum clearance, public finance, or in management of such. Skills require training and experience, as well as innate ability. Persons with high skills must be recruited, developed, and utilized effectively. This is unlikely to occur in a climate of petty partisanship, low salaries, and confused authority."

The record shows that the impact of the Federal legislation requiring merit standards has been the primary factor in sustaining the career principal in nearly half the States and in many localities. Moreover, the administration of these requirements has been carried out with a minimum of discomfort and political controversy.

For these reasons, I believe that requirements establishing "a system of public employment, operating under public rules, and based, among other factors, on competitive examinations, equal pay for equal work, tenure contingent on successful performance, promotion on evaluated capacity and service" should be extended to more grant-in-aid programs, as this title provides.

To those who doubt the wisdom of this provision—and they are many—I pose these questions:

What would have sustained the career service in those 24 States that lack a viable merit system, had certain Federal grants not contained such a requirement?

What, realistically, can be done to upgrade the administration of various grants-in-aid and the image of the public service at these levels, if patronage continues to be the first order of personnel business?

What is so dangerous about permitting the President to extend to more programs the simple and sensible standards set forth in the Federal Register, which I will insert at the end of this statement?

And finally, why all the fuss when, according to the latest Gallup poll on the subject (August 7, 1966), 70 percent of those surveyed endorsed the proposal that "all jobs except those at the highest policy-making level, [should] be filled by Civil Service"?

Title II of the bill is aimed at helping State and local governments to strengthen their personnel management systems, and provides a system of grants for this purpose. Let me make it clear at the outset—because there has been much misunderstanding about this title—that what we are talking about here is a program to upgrade the core management personnel function at State and local levels. This means strengthening the professional capabilities of those who recruit, examine, and develop position classification systems and pay scales on an agency-wide basis for the States and for the localities.

To be approved, a State program must include designation of a State agency for its administration, provision for a merit system and for State matching funds, and a description of the plan for improving State personnel management. Such a program might include expansion of a State's present merit system; plans to meet the manpower needs in new or expanding State programs; improvement in recruitment, examination, classification, and pay plans; development of auxiliary types of jobs to supplement professional staff in short supply; research and demonstration projects; and interdepartmental and intergovernmental cooperation in personnel administration.

Other sections of this title would extend grant programs for improvement of personnel administration to local governments, both metropolitan and non-metropolitan. As I said earlier, metropolitan governments are facing new and acute problems with limited resources in personnel administration; and, to a lesser degree, this is true of those local governments experiencing rapid growth as a result of their proximity to already-urbanized areas.

The Secretary of Health, Education, and Welfare is assigned the responsibility of administering this program. This was done in recognition of the long experience and competence of HEW's Division of State Merit Systems in giving assistance to States for the past 20 years under the various grant-in-aid programs which already require merit system personnel administration. That Division, moreover, has demonstrated the capacity to reach agreement with the Defense and Labor Departments on standards for personnel administration in grant programs requiring merit coverage.

To those who question the role here of HEW's Division of State Merit Systems, I ask:

What other Federal unit has had greater practical and fairly peaceful experience with State personnel administrators?

What other unit has demonstrated greater awareness of problems confronting State and local personnel management?

Title III of the proposed S. 3408 authorizes departments and agencies of the Federal Government conducting training programs

for their administrative, professional, and technical personnel to open these programs to counterpart personnel employed by State and local governments. It also authorizes Federal agencies and departments administering Federal aid programs to conduct training programs for State and local personnel. Such Federal agencies are permitted to make grants to States and localities, from that portion of grant funds earmarked for administrative costs, to cover the expense of such training. In addition, such agencies are permitted to make grants from these funds for educational leave to allow State and local employees in short supply categories to attend training courses related to the grant program.

Here—as in the case of title I—we are revitalizing a technique that already has been used.

This title merely seeks to expand the cooperative relationships which already exist between many Federal Government agencies and States and localities with respect to training. The FBI Academy for some years has trained police officers for both State and local governments. The Law Enforcement Act of 1965 provides "assistance in training State and local law enforcement officers." The Internal Revenue Service and the Public Health Service are also authorized to train counterpart State and local officials. A number of other agencies have the training authority, but some have made little use of it; others—and no one has been able to provide us thus far with a reliable listing—lack this authority.

Title II, then, meets both these problems. It will give new life to the training efforts of those agencies that have failed to exercise their statutory powers. And it will remove any restrictions which others have encountered in conducting such training programs.

Title IV goes to the heart of the training problem at the State and local levels. Under it, the States will be given the whole responsibility for developing plans for the training of their own employees, and the initial responsibility for joining with local governments in developing such programs for local personnel. Plans would include provisions for continuing assessment of training needs, for equitable standards relating to the selection and assignment of personnel for training, and for efficient utilization of personnel receiving training, including continued service for a reasonable period of time. A State plan also would include guidelines covering the selection of universities or other non-governmental facilities when such institutions are to be used for training purposes.

The title authorizes general units of local government in the State, either jointly or separately, to submit training plans if, within a year from the effective date of the Act, a State fails to submit a plan which includes significant provisions covering local training activities. Further, it would be administered by the Civil Service Commission, but the concurrence of the Secretary of Housing and Urban Development again is required for approval of training projects for our Nation's cities.

It is important to note that title IV of S. 3408 is residual. Personnel receiving training under other Federal statutes are specifically excluded from its coverage. But, more importantly, it meets the training needs of the States and localities, as these jurisdictions see them. It replaces the piecemeal method that has characterized the Federal approach to in-service training to date.

Changes in public policy, advancing technology, as well as the application of new Federal programs can and do change the nature of an employee's work. For this reason alone, State and local governments have no more real choice than does industry, or any other sector of our society; they must train or re-train employees to meet the need of the job and the times.

What have the States done on their own to solve this problem? The record—as we read it—is decidedly uneven. Only California, New York, Michigan, and a few others have training programs for top management. Others provide some training for other key personnel. But, according to a recent survey by the International City Managers Association, most States have no comprehensive program for training administrative, technical, and professional personnel. I understand that other studies of the scope of State training efforts are underway, and hope that at least some of the preliminary findings of these studies will be brought out during the course of these hearings. But ICMA's summary of its findings gives us little comfort: "There is not, by any stretch of the imagination, an overabundance of comprehensive programs. Indeed, the picture presented is almost the reverse."

Title IV of S. 3408 seeks to paint a different picture. It emphasizes training needs as they are seen from the administrative firing line. It is geared to attacking a problem that administrators at all levels, as well as experts in public administration, have described as critical. Finally, it fully recognizes that, as President Johnson stated at Princeton, "The public servant today moves along paths of adventure where he is helpless without the tools of advanced learning."

Title V of the Act authorizes the Civil Service Commission to join on a shared-cost basis with States or units of general local government, or both, in cooperative recruitment or examinations under mutually agreeable regulations. Some authorities believe the Commission already possesses this authority, but the same authorities concede that adequate provision is lacking with respect to financing such joint activity. This title provides a statutory basis for the Commission's authority to enter into such cooperative arrangements, and it settles the financial question by adopting the shared-cost formula.

The Committee for Economic Development's recent study on local governments recommended: "To assist in recruiting competent individuals the Federal Service Entrance Examination test results should be made available to local governments. Since less than 9 percent of those eligible for Federal GS-5 appointment, for example, ever accept any Federal position, to provide local units with such information should not materially affect the Federal Government's recruitment capability. Instead, it would undoubtedly result in more persons entering government service at levels where their training is critically needed." This title complements this recommendation.

Title VI gives prior Congressional consent to interstate compacts or other agreements, not in conflict with any law of the United States, for cooperative efforts and mutual assistance relating to the administration of personnel and training programs for State and local employees. The New England Governors' Conference already has launched a survey of the possibilities of regional collaboration with respect to personnel training programs. Building on the precedent set in the Housing Act of 1961 (which gave prior Congressional approval to interstate compacts establishing metropolitan agencies in multi-state urban areas), this provision hopefully will encourage expanded efforts to develop training programs on a regional basis.

To some, this bill is merely a "good government" measure. I welcome this somewhat derogatory designation, because "good governments" are just what we need to strengthen our cooperative federal system, and to make the Great Society programs work. The most ambitious programs we have enacted will produce only criticism and chaos if we lack the right men in the right places. The promises of the Great Society will only be platitudes, if the people on the administrative firing line are unwilling or unable to execute them. The vitality of the grant-in-aid device will be vitiated, if the necessary State and local manpower is incapable of assuming its proper role in this joint endeavor.

We must now recognize that governmental strength and competence must be judged partly in terms of administrative strength and competence. Thus, the classical Federal doctrine of divided power now requires a balancing of bureaucratic authority and influence between and among the levels of government.

S. 3408, the proposed Intergovernmental Personnel Act of 1966, is concerned with all these critical issues. It is my hope that these proceedings will provide the basis for improving and perfecting this measure, since the need for action on the intergovernmental manpower front becomes more pressing with each passing day.

At this point, I want to insert in the RECORD the text of the bill, along with the following materials relating to it:

1. Citations to State Merit Systems Required by Federal Grant-in-Aid Programs, by Johnny H. Killian, Legislative Reference Service, Library of Congress.

2. Table of employment and merit system coverage by State and local governments 1964–65, compiled by the Subcommittee staff.

3. Excerpts from title 45, Code of Federal Regulations. Part 70: Standards for a Merit System of Personnel Administration.

4. Rank of the States: Number of State and Local Employees.

5. Lists: States with centrally-directed programs for training of State and local personnel, and States with training programs directed by various State agencies.

6. Table: State Personnel Agencies; Coverage, Organization, and Selected Policies, August 1965.

7. Table: Budgets, Staffs, and Pay Rates of Public Personnel Agencies.

EXPORTS OF MEAT AND LIVESTOCK PRODUCTS

Mr. MAGNUSON. Mr. President, as a Senator from a major beef-producing State, I am of course vitally interested in new markets for that commodity. Today I should like to draw attention to the progress that has recently been made in establishing markets for U.S. beef in foreign countries.

In 1965 U.S. beef imports exceeded exports by 888 million pounds. The trade deficit strongly suggests that one need not look beyond our own shores to find markets for beef. Most of the imported beef, however, was lower grade manufacturing-type meat, for use in processing—for example, sausagemaking—or canned and preserved types like corned beef. It is true that a few areas of the United States must still import some beef to satisfy the domestic demand for high grade beef. But there is reason to believe that this market will soon be saturated. My remarks are therefore directed toward the building of foreign markets for high grade U.S.-produced beef in addition to meat of other grades. At times when supplies exceed domestic demand it will be highly important to our meat industries to have these new consumers.

The Senate Small Business Committee, led by its chairman Senator SPARKMAN,

has already begun to explore the potential of Europe as a market for beef. Beginning in early 1965, Senator SPARKMAN's committee held several days of hearings on these subjects. The testimony and research revealed several difficulties confronting those who would export beef.

Major obstacles are that disparate shipping rates exist which favor South American exporters over those of the United States. Other deterrents include lack of market information plus an absence of any promotional effort, political barriers in the form of import regulations—Common Market external tariff, variable import levies, and proposed quotas are examples—veterinary and sanitary regulations—where unnecessarily restrictive—and inability to communicate caused by differences in descriptive terminology. Another problem is presented by the relatively high costs of moving cargo through U.S. ports. Other difficulties especially relevant to the small farmer include financing and credit arrangements.

Senator SPARKMAN has pointed the way. He persuaded the Department of Agriculture to explore fully the possibilities for establishing new export markets in other countries for the quality meats produced in the United States.

Since Senator SPARKMAN began his campaign to enlarge the beef export markets, there have been several important advances. The most significant perhaps was the recently successful experimental shipment of beef to Germany. Prior to that shipment ocean freight rates to Europe for chilled beef had been reduced by 25 percent; largely as a result of Senator SPARKMAN's efforts. Several of the other barriers, for example, economic, technical, veterinary, and political, were of necessity also overcome. Technological breakthroughs by the transportation industry led to the development of an integrated container service on the North Atlantic, refrigerated containers for perishables, and specialized preservative methods to facilitate shipping of meat.

All these factors worked together to make the shipment itself successful. The consumer reaction in Germany was gratifying beyond all expectations. It had been thought that at least 1 week of promotion would be necessary to interest buyers. But after only 2 or 3 days the entire shipment, which was handled by only two different stores, was completely sold out. Needless to say there are here strong indications of a lucrative market for beef. The Senator from Alabama and his committee thus opened the eyes of many.

Air shipments during the summer months of this year have opened up new vistas.

Being from the west coast I am, of course, interested in export markets in the Pacific Ocean areas. The problem of establishing markets in the Pacific region is somewhat different from that in Europe. Dietary habits in the Far East are, obviously, quite different from those of the Western nations. Beef has not been a basic part of the Asian diet. There is evidence, however, that the people of Japan are gradually changing their food consumption patterns. Reduction of space available for agriculture together with recent actions to liberalize meat imports mean that a potential demand for beef exists in that country.

Every year since 1960 Japan has increased its per capita consumption of beef. But the total amount consumed is still very small, less than 5 pounds per person per year. To date Japan has been able to satisfy the limited demand primarily through domestic production. In 1965 Japan produced 209,385 tons of beef while exporting only 21 tons. At the same time Japan imported only 11,920 tons, a mere 8 tons of which came from the United States. When one considers that the U.S. per capita consumption is 106 pounds and that of most European countries is over 40 pounds, Japan looms as a vast untapped potential market. A promotional campaign could go a long way toward altering the Japanese tastes in meats. A campaign of this type in behalf of wheat by Pacific coast businessmen has been spectacularly successful, as was pointed out earlier this year by the Senator from Oregon [Mr. MORSE].

A side effect of increased consumption of beef by the Japanese could be a commensurately decreased interest in eating fish, now one of the primary foods for the Japanese. At the present time Japan and the United States find themselves at odds concerning the harvesting of ocean resources. Japan's reliance on fish has led that nation to be less conservation minded than the United States believe is necessary.

Another obvious benefit to the United States would be the favorable effect on our country's imbalance of payments.

I want to emphasize, as Senator SPARKMAN has said before, that those of us who are interested in beef exports are looking to the long range. The United States has not yet reached the point where its beef production satisfies domestic demand. But the cattle growers of this country have demonstrated a fantastic ability to produce more and better beef than cattlemen anywhere else in the world. In 1965 over 19,665 million pounds of beef were produced in the United States. That is approximately four times the production of Argentina, the second-ranking beef-growing nation. Between 1960 and 1965 the increase in the U.S. production alone exceeded the total production of Argentina for 1965. A growth rate like that, of almost 20 percent, portends a situation in the not too distant future where exporting will be almost a prerequisite to the maintenance of continued health of the cattle industry. At that time our cattlemen will be in a position to help significantly in reducing the world food deficiencies. But since expansion of this type of export depends to a large degree on the success of the long hard undertaking of education, now is the time to take the first steps.

THE ARCHITECT AND THE FUTURE

Mr. RIBICOFF. Mr. President, the crisis in our cities has many causes. These causes require attention from psychiatrists and sociologists, medical doctors, economists, public officials, technologists, city planners, architects—and experts in other disciplines and fields.

No one can deny the seriousness of the problems that afflict—and in some cases paralyze—the urban life of our Nation. The urgency of the situation must be recognized and met. Responsibility demands that we engage meaningful, effective measures to combat the confusion and chaos and heartache so prevalent in our cities today.

The Subcommittee on Executive Reorganization, which I chair, began hearings this week on the Federal role in urban affairs. In these hearings we intend to examine the problems of our cities. We hope to find some answers that will help the cities to utilize to the greatest advantage the talents of specialists from many fields.

One group of specialists are the architects, who must have unrestricted vision and unbounded zeal for building new cities and rebuilding the old. They must have training that will teach them to use the materials of our day for the life of our Nation tomorrow. They must have the patience, the broadmindedness and wide technical skills that will enable them to work with others constructively and productively for common goals.

On July 29, 1966, Nathan Marsh Pusey, the president of Harvard University, gave the second Purves Memorial Lecture of the 1966 national convention of the American Institute of Architects. In his address, President Pusey describes the role of the architect in America's future. He outlines the course of study that universities must make available to our future architects if they are to meet successfully the challenges of this role.

Mr. President, I ask unanimous consent that President Pusey's address be printed in the RECORD at this point.

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

THE NEEDED NEW MAN IN ARCHITECTURE

(By Nathan Marsh Pusey, president, Harvard University, for the Purves Memorial Lecture of the 1966 national convention of the American Institute of Architects, Arnold Hall of the Air Force Academy, Colorado Springs, Colo., June 29, 1966)

It is a pleasure and a privilege to have been chosen as your second Purves Memorial Lecturer. I am happy because of the opportunity it has given me to become better informed about the American Institute of Architects and because of the chance it has provided to meet more of the members of your society. And I am honored to follow in the footsteps of that eminent critic of our cities and our culture who spoke to you last year, Mr. Lewis Mumford, whose useful life has been largely spent in challenging traditional and thoughtless suppositions about the environment in which we live. I should like to continue in a direction he indicated, and, pursuing the general theme of your meeting, "Technology, Environment and Man," say something about the involvement of today's universities with your profession and its problems, and, more especially, about the present situation of education for your profession within universities.

A breath-taking change and turbulence began to take shape in American universities during the early 1940's when the Federal Government with a formidable war effort on its hands turned to them of necessity

for personnel, for training programs and above all for research. Having once moved in this direction, the Government has not been able again to reverse its course. For even before the war had been terminated it had become clear to the more perceptive among our leaders that the scientific enterprise created under military exigency would have to be continued and strengthened in peacetime in the interests of defense, health, and economic growth. And soon exploration into space was to be added to this list.

The result has been a period of unprecedented expansion and development for universities. Seen now as the agents of the advance of science and technology, and as the indispensable providers of the highly trained personnel needed to keep the very complicated machine of modern civilization in repair and operating, they are no longer of interest merely as schooling places for young people, but have become of compelling concern to governments everywhere as the instruments both of survival and of advance. Only think for instance of the thousands of new enterprises which have resulted from the discovery in university laboratories of artificial fiber, of computers, of transistors, of lasers and so on. All such discoveries even when not immediately attributable to university laboratories have depended to some significant degree upon university teaching and training—above all upon the fundamental research of universities. It is nbt surprising therefore that new universities are now arising in countries where they never existed before and that older ones long thought comfortably established are again undergoing revolutionary development and change. And professional people of many kinds at all stages of their careers are increasingly turning to universities to learn of new developments, to find a congenial place to exchange views with colleagues, to get glimpses into developments in related fields, and to obtain a fresh grip on theoretical considerations which underlie professional practice, themselves constantly being refined and reinterpreted within academic walls.

Revolutionary developments are also occurring in schools of architecture and design within universities. Schools of this kind, as you know, were rather late comers to the university environment. Professional schools of divinity, medicine, law, engineering and agriculture—in some places, even of business—preceded them. Apprenticeship in an architect's office, coupled perhaps with some formal training in elementary engineering, occasionally, toward the end of the period, supplemented by study at the Ecole des Beaux Arts, was sufficient educational experience for most of the American architects who practiced in the nineteenth century—whether a Benjamin, a Lathrobe, a Richardson or even a Louis Sullivan (who I have been told deserted M.I.T. in early career for travel and more practical experience).

But in the last third of the nineteenth century specialized schools of architecture began to appear in the United States, as a rule, in association with universities. They owed their origin to a realization by the connoisseurs of architecture that there was much to be learned about the styles of building and the history of architecture which could be dispensed more conveniently in a university setting than by the more expensive procedure of travel and study abroad. Further the more affluent clients of the Gilded Age and later could begin to afford and demand more substantial and impressive structures, often elaborately eclectic, than those erected in a day of self-taught craftsmen.

The curricula of the early schools were shaped by the conditions of those times. They were compounded of concerns of engineers and interests of individuals trained in the French Beaux-Arts tradition who thought of themselves primarily as artists. The aim was to impart at least a modicum of basic knowledge of structural engineering together with considerable familiarity with the earlier historical styles of architecture, especially Renaissance architecture. It is easy now to find amusing what seem in our time to be the rather conventional achievements of this early effort to create a profession, establish standards and provide a systematic scheme of education for a profession. But the accomplishments of this effort were not slight. Men trained in that tradition both met the demands of their clients and learned to put up useful buildings that could stand. These older parts of almost all our present cities continue to provide more or less impressive monuments to the architectural aspiration and achievement of that period.

Professional education in architecture took a great leap forward in the United States during the 1930's. This comparatively recent advance was touched off as the more creative teachers of the time, stimulated by developments abroad, turned from what had become an almost obsessive concern with historic styles to pay attention to new opportunities being revealed by the advance of technology, by new materials and methods of building; but perhaps more important, they began to be less bound by the whims of individual clients to show more concern for the social significance of buildings.

Now, though training in architecture has continued to progress, again new circumstance calls for radical advance. We have learned that a building can no longer be thought of, if it ever properly could, as an entity in itself, or even only with reference to its immediate setting. Nor can a small cluster of buildings exhaust the reach of an architect's concern. The practice of architecture and education for architecture have been extricating themselves from limitations unwittingly placed upon them earlier by what Alfred North Whitehead called "the fallacy of misplaced concreteness." This was his suggestive name for a widespread human mental failing which causes us to regard objects and events as independent of their environments and as cut off from a complex mass of considerations from which they cannot be separated if they are to be viewed properly for either intellectual or aesthetic purposes.

There is a parochial illustration here from the university world. In the early years of the fledgling Harvard College the space needs of the institution could be met very simply by altering an old structure or by erecting a new building in some attractive relationship to existent structures. In most cases such a building would be designed by a self-taught builder such as Colonel Thomas Dewes, the master builder in the 18th century of our Hollis Hall. The first campus plan, simple and classical in inspiration, was developed in the decades following the American Revolution by the Boston architect, Charles Bulfinch, himself largely self-taught. The Bulfinch scheme, a repetition of buildings surrounding and facing inner courtyards, has been followed in principle ever since. Such a plan presumes a continuing supply of land and a fairly intimate scale of design. But today's conditions do not permit indefinite expansion on a building-by-building basis with each need met as it occurs.

Today the dwindling land supply and the pressures of the surrounding city force an educational institution to intensive land utilization which can only be effectively carried out by careful planning involving many factors. And at the same time buildings have become infinitely more complex structures than they were previously. Not much more than a decade ago Harvard University was attempting to solve most of its building problems on ad hoc basis. And the responsibility for planning, selecting architects and supervising construction fell mainly on the shoulders of one man, the administrative vice president.

Today the university has a full-time planning office, has organized a master plan for development, holds at least weekly planning sessions, and constant intercommunication on matters such as land-purchase in the vicinity of the university's area of development. In early stages a building often requires the considered attention of phalanxes of advanced scientists to begin to say what the new structure should be. No building project can be undertaken today without very careful thought for the purpose it is to serve, location, interrelationship with buildings and streets, availability of parking, conformity with zoning and building codes, the very complicated needs of a variety of future occupants, proximity to other users and so on. And the experience of one institution like Harvard is simply a case in microform of the vast problems of planning and development for which the talents of the architect of the future will be called forth.

What can be considered a proper kind of professional training for architects in such a situation? Clearly we have come to a time when no one person, or single kind of person, can possibly longer meet the professional demands with which those who work in your field will be confronted.

Economics, sociology and social psychology, government and law, administration and administrative services, public health, science of all kinds—especially the engineering, technological and computer sciences—and above all perhaps, a deeper understanding of humanity and an acquisition of concern and compassion for humanity (should I say, education for wisdom?) all these and more, reaching far beyond the older curricula traditional in schools of architecture seem now to be relevant.

Men with the broadest kind of education are now needed in your profession and a more advanced kind of professional education must be devised to provide them. Medical education began to move to the graduate level during the last third of the nineteenth century. Since the Flexner Report made its impact in 1910, education in medicine has operated almost exclusively at this level.

Today, as you know, perhaps the most significant part of the doctor's education takes place not only after four years in college, but in the years which follow after an additional four years of medical school, that is, in the post-post-graduate years of internship and of residency. Education for law began to move to the graduate level some eighty years ago and is now generally conducted at this level. Today schools of business, and also more recently of education, are increasingly becoming graduate institutions and are redirecting their efforts from master's to doctoral programs. And change is called for also in education for your profession.

A first order of business for our new time will be to strengthen and undergird our schools of architecture and of planning. Even the best of these training centers today is woefully lacking in permanent funds to provide regular income for faculty salaries and current programs. For years these schools have existed in large degree on the part-time activity of men and women who must supplement their income by outside practice. Of course, this is not all bad, since practitioners of architecture need, as much as physicians or lawyers, the constant refreshment which comes from interaction between the academic and the active worlds. But our schools of architecture need to be freed from their too great dependence on part-time teachers whose income derives principally from outside sources. Our schools

of architecture deserve at least strong and large core facilities of able, thoughtful men who are motivated toward teaching and research and who will find their joy in these activities.

No less important is the need to attract and recruit to the architectural profession a fair share of eager and talented young people—always in short supply and now being sought aggressively by all professions. This means having much more fellowship support for graduate study than schools of architecture and design have yet acquired. We need more students, yes. This is surely the sine qua non in a day when the tasks of building and rebuilding in a crowded world seem almost to outstrip our ability to match the challenge. And more adequate fellowships will help to secure them. But I see no need to panic simply because there are only 30,000 architects in the United States compared with nearly a million engineers. The chief point I should like to make here is that we need not mere numbers but a new kind of man.

Vast interdisciplinary efforts are now called for. These will require many different kinds of individuals with different kinds of training for any specific project—developers of real estate, planners and surveyors, engineers of many kinds, lawyers, sociologists, health officers, government officials, political scientists, economists, and agronomists. All these and more will be needed if cities of the kind we all know we should have, and want, are now to be designed, constructed and rebuilt. But above all, we shall need individuals trained in architecture and design who can cooperate with others and provide leadership in such complex undertakings as now confront the builder's art.

This implies, among other things, that we shall have to learn to value each other and to work together to a degree previously not even contemplated, let alone achieved. So long as we as a people look only to ourselves as individuals and demand nothing more, for example, than a three-room box with a streamlined kitchen set on a quarter acre (or less) of land within reach of an overcrowded superhighway, we shall be moving further toward anarchy and the unimaginative uncontrolled destruction of what is left of both city and countryside. So long as we continue to heave beer cans onto the pavement and gum and cigarette packages into reflecting pools we shall fail in achieving the wise, broad, revolutionary changes which the new age demands. We need not create a socialism but we surely need to socialize our wants and aspirations. This is what I mean when I say that building now calls for a new kind of man. The self-discipline which will be required for the planning and use of the cities of the future is perhaps more than our present level of education and ethical standards can contemplate, but it is surely worth working for, and all of those summoned to the task of rebuilding will have to have both the vision and the apostolic zeal to comprehend and rally others to what may be done in their professions for the collective good. They cannot be people content simply to accept conventional solutions.

Walter Gropius concluded years ago that "an architect or planner worth the name must have a very broad and comprehensive vision indeed to achieve a true synthesis of a future community." And since no one will deny today that he was right there remains the troubling question: How do we begin to produce the professionals in your area whose vision is commensurate with present need?

I am particularly conscious of what one graduate school, the Harvard Graduate School of Design, has been trying to do to lift itself to some such level as is indicated. We have had a graduate program for more than fifty years. We hope soon to add more post-graduate studies. Our school recruits from all over the world students whom, we hope, have the best and widest preparation that can be found. We have special interest at the moment in building stronger programs in resources and ecology, in programming, in architectural technology and in computer graphics. Above all, we wish to find the means to pay much more attention to programs of research, to enlarge the general competence by seeking to supply the profession with a continuing fund of new knowledge. And beyond this our Graduate School of Design has now begun increasingly to interact with other parts of the University, drawing on the talents and resources of other disciplines and faculties—law, sociology, public administration, education and public health—for assistance in its work; and also in such an institution as the Joint Center for Urban Studies, with other universities, in this particular instance the Massachusetts Institute of Technology.

Similar efforts are going on in other schools of architecture—all of them called to increased activity by a broad and growing awareness that we must begin now to fight with new vigor on the educational front if we are to forestall and push back an impending urban chaos with all that failure can mean in increased misery and lost potential.

It is a sad fact to admit that the liberal social efforts of the past half-century—chiefly the universal demand to solve in an attractive and humanely engaging way the ever present problem of mass, low-priced housing, has been temporarily solved at a rather low level of quality. And this despite the fact that the problem originally engaged the finest of the new breed of architects. Yet the modern architect, while adopting Sullivan's dictum that form should follow function, let slip the opportunity to lead in the solution of mass problems and in general failed to grapple with the complexities of organization and planning which such huge projects required—shall I say, because of susceptibility to the "fallacy of misplaced concreteness"? The problem of mass housing, humanely and attractively and cheaply executed, remains. Are our efforts sufficient to meet the challenge? And will we continue to labor in vain to convert the public to the job that must be done, a public largely disenchanted with what has been done to date?

It is clear that the future architect needs a broader preparation before entry upon professional education as well as a more varied, imaginative, relevant and demanding professional education. We must provide him with more advanced work. We must encourage more research to enhance and support the efforts of the profession. We must organize more cooperation and team effort. And we must furnish new programs of internship training and of continuing education, such as is common in the other professions, notably now in law, business, and medicine.

I said at the outset that universities have been developing rapidly in recent years because of their new involvement in the world and with the world's pressing present problems. I cited as examples of the latter: defense (I might have added with it, world order), health (including shall we also say, population), economic growth and the exploration of space. There are others but perhaps now there is no more formidable problem presented to us, and to other people, than that presented by the city itself.

We were all taught in an earlier period that cities were the very signs and symbols of the advance of civilization. The story of the city's origin in primitive agricultural societies and of its spread to more and more parts of the world, with the growth of populations and the development of commerce, was the central theme of history and the proof of progress. To be sure, in a later stage Imperial Rome, for example, with its narrow streets and housing blocks, which the Romans called "islands," may have had problems aggravated by fires, shabby construction, crowding poverty and disease. But that was long ago. And if the cities of medieval Europe with their smells, plagues, and general discomfort may also have left much to be desired, they too belonged to an early and less fortunate age. And what point could there be now in recalling that earlier in this century New York's lower east side was not exactly a lovely place, or that there were blemishes in Pittsburgh before the Golden Triangle? There was nothing essentially wrong with the city in itself—nothing at any rate that time would not cure. That was the mood and view a generation ago. Now we are not quite so sure.

You are aware that today many young people in America (of whom there is a very generous supply!) are becoming increasingly conscious of soft spots in our society. A part of the explanation for the worry which some of our more perceptive young people have about our society runs something as follows: As a rule these men and women, born since the Depression, have grown up in well-tended suburban communities in an affluent part of society. During their years in secondary school they heard much about the ancient glories of our culture and of our way of life. They experienced little uneasiness and found few real causes for worry. Then, more recently, during school or college, many of them went abroad—increasingly to the so-called developing parts of the world—to India, to Egypt and other parts of Africa, to Latin-America—with Operation Crossroads, the Peace Corps, or some other agency. There, for the first time, they saw with their own eyes poverty and misery and were horrified by what they saw. They came face to face with the dreadful effects of want in other countries not only in villages and refugee settlements, but even behind concrete fences in glamorous new urban areas in large sections of the most modern cities. And from such experiences they came home, and then for the first time, through eyes freed from insensitivity, beheld similar sights in our own cities, with a resulting sense of shock.

Most of us—not only the younger among us—have experienced something like this in recent years as we have finally begun to face up to the realities of our present day cities—especialy to the almost universal degradation of the older, debilitated inner cities. We are aware of the allegations of the present leaders in China who seek to win the underprivileged of the world to their cause by saying that the great struggle going on in the world today is that between people in rural, village societies and those who dwell in cities. This new view comes to us with a start in view of our ancient belief that everyone likes cities and would choose to move into them (as they seem now in most parts of the world to be doing!). And precisely at this time we discover that our cities are sick and in need of drastic therapy. Villages are forming again in their very hearts, in their decaying centers, where clusters of needy, alienated, poorly-educated people eke out miserable existences in what has been called prematurely an affluent society. And we begin to suspect that the enemy, who, we are told, may one day be knocking at the gates of our cities, has already begun to take up positions of strength within them.

Nor are our urban problems confined to the inner city. Excessive population, air-pollution, contaminated rivers, failing supplies of water, inadequate administrative services, ineffectual health agencies and schools, outmoded methods of mass transportation, maddening snarls of traffic and a ruined countryside—these make only a partial list. But confronted by them at long

last we begin to ask ourselves questions long overdue: Do we have to—can we afford to be so indifferent to the needs of others? On a more modest plane, do we have to be so captivated by the automobile? Have we not the energy, means and imagination to find new ways of moving ourselves about? Is there any reason we should not be able to find in our urban centers islands of peace and quiet, walkways, pools and green trees instead of frustrated and embittered people, smog, roaring buses, taxicab horns, trash cans, and plundered park land? Cannot the city again be made a place for enjoyment and once again an instrument for the forward thrust of civilization? And if not, why not?

It is this last question which is new in our time. It is of course easy to argue that today's cities are not all that much worse than the cities of earlier times. I still remember the surprise I experienced years ago at being confronted with evidence that primitive fertility cults flourished on the north slope of the Acropolis when the Erechtheum first shone there in its pristine beauty. Nor could either Dickens' London nor the New York City, say, of John Sloan or Lillian Wald at the turn of the last century have been accurately described as completely civilized places. But there is a difference now, for we have, or think we have, or should have—thanks to scientific, technological and economic advance—the knowledge and means to do something about the problems cities present. We are no longer in a mood simply to endure them. Now perhaps for the first time people in general are becoming restless and impatient with governments—city, state and federal—which delay in facing up to this gigantic job, and may be expected to demand increasingly that something be done. The question is, can something good be done?

In such a situation, at such a time, it is encouraging to know that your profession has begun to arouse itself to the need, cognizant of its obligation to society. In his stimulating address at the first meeting of your Indianapolis chapter, your President, Mr. Morris Ketchum, Jr., called for intensified effort "to educate more architects to assume the responsibility of creating society's physical environment." Surely here is a helpful beginning to the enormously difficult task of clarifying professional responsibility and of asserting the accomplishments, actual and potential, and the aims and the needs of your profession.

In this delineation of aims and needs there will be many places where the universities can help. Unlike the cloistered inwardness of higher learning of an earlier day, the contemporary university is very much in the world. Its main aim must always be to continue to produce trained people to advance knowledge of many kinds, and to help select and promote solutions to those requiring a priority of attention. But in any present grouping of pressing problems, looking to the eventual achievement of health, plenty, education and international order, the task of finding ways to live more happily and satisfactorily in cities must surely now take a top place.

How can we in all our numbers and all our diversities live together in a fashion calculated to permit us as individuals those experiences of independence, beauty, and incentive necessary even in the most elementary definition of a good life? Community ugliness, against which your Institute has declared unremitting warfare, is much more than an aesthetic peril, for it can poison every aspect of daily life—the sky we see, the air we breathe, the streets we walk and the people we meet and live among. But community beauty and a shared pride and responsibility for the integrity of our surroundings can lift life to a new level of dignity and grace.

The city is a place to develop humanity, to help people to a fuller life, to a more widely applicable, modern equivalent of some of those virtues and goods which were anciently associated with the term urbanity. The task of building, of designing buildings and of planning cities is not just to furnish shelter, modern conveniences and speed of transportation, but to contribute imaginatively to full humanity in the populous places where we shall all want to live happily and independently, but also for each other.

Fortunately there is a new way of looking at things in this age which shows itself very widely even outside your profession. The scientist once concerned mainly with collecting, examining, naming and classifying, turned sharply from such activity to preoccupation with function. Today he recognizes the importance of both the minute study of constituent parts and the necessity for awareness, as well, of the growth and environment of the whole living organism.

Can you in your profession afford to be any less aware or less sensitive when you deal with human beings? We are not going to endure drabness without complaint. We cannot afford to. We have become increasingly aware of our environment and of its central place in life. And convinced we can do something to perfect it. This being so, we must now set out to do this something. Appearance will not do, nor will a simple-minded view of function by itself.

We need to give people—both in their role as individuals and in their incredibly complicated social context—adequate space to grow and develop, organized space to bring meaning and content to patterns of daily existence, designed space to help people to find their way in life creatively to the best kinds of existence that can be conceived for mankind in our age.

A long time ago Plato argued that rulers would have to become philosophers if societies were to be made fit for humankind. I am now making the same claim for architects. Not perhaps as philosophers in the popular sense but as imaginative men not lost in abstraction or doctrinaire preoccupation with a personal scale of values; men in the midst of life devoted to organizing sensibly the concrete arrangement of our relationship to our environment, the paths we follow, the stairs we climb, the illumination we bring to our activities and even our views of the world around us.

We must together strive to produce the enlightened, determined, impatient people who can cope with these tasks, people who because of knowledge and desire will want to do the job well. And how much you and your successors will need to know to do this most acceptably! At long last our universities are beginning to wrestle with this fact. With your help they can, as they have earlier in many areas of the social, physical and life sciences, begin now to find, train, and encourage this new breed of architect whose task is to start building afresh that old world that always needs rebuilding. And never more so than today!

HONOLULU'S SISTER CITIES

Mr. INOUYE. Mr. President, actively supporting this country's people-to-people program, the city and county of Honolulu have in recent years adopted four sister cities, three of them in the Orient.

City and State officials welcome the program because it increases associations among the peoples of the Pacific and helps to prepare Hawaii for the Pacific era foreseen by President Johnson.

The U.S. Army has also participated in a Pacific exchange program. Over the past 8 years it has sponsored 11 exchanges of good-will groups from the civilian communities of Hawaii and the Ryukyus, 9 with Japan, 5 with Korea, 4 with the Philippines, and 4 with Taiwan, plus a 1961 mission to several countries.

Mr. A. A. Smyser, editor of the Honolulu Star-Bulletin, Hawaii's largest daily newspaper, recently concluded a visit to Honolulu's sister cities in the Orient. His findings were recently published in the Star-Bulletin. I know that Senators will be interested in Hawaii's efforts to win more friends for America in the Far East.

I ask unanimous consent that Mr. Smyser's article be printed in the RECORD.

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

[From the Honolulu Star-Bulletin, July 28, 1966]

OUR THREE ORIENTAL SISTERS: THE TIES THAT BIND ARE NUMEROUS INDEED

(By A. A. Smyser, editor, the Star-Bulletin)

Honolulu has three Oriental sisters—Kaohsiung, Naha and Hiroshima.

Kaohsiung is the bustling, proud one.

Naha is the prosperous, troubled one.

Hiroshima is the beautiful and sad one.

Under the People-to-People program developed initially with President Eisenhower's encouragement, many U.S. cities and areas have set up "sister" relationships with counterparts elsewhere.

Honolulu has four such affiliations, officially confirmed by City Councils on both sides. The fourth is with Bruyeres, France.

This month I paid visits to the three Oriental sisters.

It was, by coincidence, the month when President Johnson voiced his feelings that a Pacific Era is ahead for the U.S. and the world, and is supposed to have said to aides that he may go down in history as the "Pacific President."

President Johnson gave Hawaii a big helping hand to Statehood in 1959.

It may be that Hawaii now can help him with his Pacific ambitions.

Because Hawaii and her Oriental sisters have so very much in common.

They are very different in many respects. One need only to consider the different cultures to understand that—Chinese, Okinawan, Japanese and American.

MANY TIES EXIST

Yet the ties that bind are numerous indeed.

Emigrants from China, Okinawa and Japan (largely from the Hiroshima area) and their descendants play a major part in modern day Hawaii.

Their ties with the Orient are still considerable. Some have families there. There also are many migrants who have returned from Hawaii to their native lands, usually with good reports.

Several thousand U.S. Social Security checks each month are delivered in the Hiroshima area.

Seiho Matsuoka, chief executive of the government of the Ryukyus, told me "Hawaii is not foreign."

"You mean," I asked, "that you consider the U.S. as foreign, but not Hawaii?"

"That's right," he said, "Hawaii is more like a brother."

Most Okinawans have friends or relatives in Hawaii, he noted. Hundreds of Hawaiians now work in Okinawa.

Matsuoka cited the University of Hawaii as being particularly helpful to Okinawa.

Later, Dr. Genshu Asato, president of the University of Ryukyus, credited the University of Hawaii with a principal role in bringing about creation of this first university in

Okinawa. Situated on a Naha hill where an ancient castle once stood, it now is training more than 3,000 students.

Matsuoka, the chief executive, worked and studied in Hawaii between 1912 and 1918, then went on to Los Angeles.

He credits his Hawaii and Mainland U.S. training and education with laying the base for his later success in business and politics. Without it, he says, he might be one of the rabid Yankee-Go-Homers who that day were demonstrating outside the U.S. Civil Administration offices.

Matsuoka is, incidentally, friendly indeed to the U.S. but committed to the eventual politicial reversion of Okinawa to Japan and demanding more local autonomy in the meantime.

Mayor Junji Nishime of Naha, Okinawa, has a Hawaiian calabash and an outrigger canoe model as two of the most prominent displays in his office. Mayor Neal S. Blaisdell of Honolulu presented them to him as a sister city gesture.

Okinawa next year may send its full 32-member legislature on a visit to Hawaii. Fifteen Hawaii legislators went there in May.

ROLE OF EMIGRANTS

All three of the sister cities are justly proud of the role their emigrants have played in modern Hawaii.

Speaker Akio Nagamine of the unicameral Ryukyuan Legislature said one of the reasons he wants all 32 legislative members to visit Hawaii next year is to see the progress made by the Okinawans in Hawaii.

The Hiroshima Telecasting Company sent a film crew last year to film the record of Hiroshima families in Hawaii, the Mainland and South America.

The response was so great, it re-ran the 13-part series plus a one-hour condensation which spoke of Hawaii as a land where there is the least racial feeling and of the East-West Center as a place that knows no national boundaries and no prejudice.

Leaders of Kaohsiung on Taiwan who visited Honolulu in June were most of all impressed by the status and success achieved by Chinese in the Hawaii community.

The Taiwan Chinese are also proud of their accomplishments at home, and justly so. There will be more in the next article in this series on this bustling economy which among many other things, packs mahimahi for Hawaii's tables.

In the center of Kaohsiung, as in other Free China cities, stands a statue of another former Hawaii schoolboy—Dr. Sun Yat-sen, who plotted here for his successful 1911 overthrow of the Manchu dynasty and creation of the Republic of China.

The last message to me from Speaker Wang Yu-Yun of the Kaohsiung City Council as my plane was about to depart was a request to tell the people of Honolulu that Kaohsiung would like to see more of them come visiting.

SIMILARITIES BETWEEN SISTERS

The 28-page brochure issued by the City of Hiroshima to explain itself to foreigners devotes a full page to the sister relationship with Honolulu.

Carp from Hiroshima swim in the pool at Honolulu International Center.

A rock sculpture from Hiroshima is in Foster Garden, and youths from the two cities are exchanging visits this summer. A Honolulu Y.M.C.A. group is in Hiroshima now. A group of students sponsored by the City of Hiroshima will arrive here soon.

All four sister cities are middle-size metropolitan areas. Naha, the smallest, has a population of around 250,000, Kaohsiung has 600 000, Hiroshima 580,000 and Honolulu 576,000. All of these figures have give-and-take in them, depending on how you define the area. Hiroshima soon may add some suburbs that will boost its total to 700,000. Honolulu's figure already includes 234,000 people in rural Oahu areas.

All four sisters are port cities.

All suffered direct attack in World War II and two of them—Naha and Hiroshima—were obliterated, but have come back stronger then ever.

All of them have some dependence on tourists.

And all except Hiroshima have a considerable dependence on military spending, sugar and pineapple.

Hiroshima and Kaohsiung are important industrial cities.

All four cities are more prosperous today than ever before. All of them put major emphasis on education of children.

All of them have equable climates. Hiroshima gets occasional snow, but not enough to kill the palms that grow on its city streets or the white Hawaiian oleanders now blooming along Peace Boulevard.

STEPS TOWARD WORLD PEACE

The concept of their "sisterhood" is not an idle one.

The exchanges between them are not of great moment as world affairs go.

But they have been at many levels and they have added their bit to the world understanding, amity and respect that one of the sisters in particular—Hiroshima—so devoutly desires.

The Chinese proverb says that a journey of 10,000 miles begins with a single step.

The sisterhood arrangements may be small steps along the way to world peace—but they are positive and forward.

Subsequent articles in this series will tell about the sisters individually.

[From the Honolulu Star-Bulletin, July 29, 1966]

OUR THREE ORIENTAL SISTERS: TAIWAN SISTER CITY BUSTLING TRADE CENTER

(By A. A. Smyser, editor, the Star-Bulletin)

On Taiwan, just off the Asian mainland, Honolulu has a sister city that both it and the world should know better.

For on Taiwan and in its bustling southern port city of Kaohsiung there is a dramatic answer to the problems and challenges of Asian development.

While Red China struggles, Taiwan prospers.

Here, without bloodshed or class struggle, more than 12 million Chinese have built an economy that has weaned itself from the need for U.S. aid and is growing substantially with each passing year.

Energy, skill, determination, and the kind of political rule that might have saved the China mainland if it had been demonstrated before 1949 have been combined here with $15 billion in U.S. aid (which ended 13 months ago) to rebuild a war-wrecked economy and give this island a vitality it never knew before.

Taiwan's most famous city is its northern capital of Taipei with a population of more than one million.

But 200 miles south is its second city, larger in area than Taipei, though smaller in population (around 600,000), and one of the major industrial cities and ports of the Orient.

Kaohsiung (cow-shung) is not even as well-known a name in the Orient as it should be. Many Japanese know it by the name they gave it pre-war: Takao.

EXPANDING TRADE CENTER

But Kaohsiung is a name to be reckoned with.

Its port handles two-thirds of Taiwan's trade.

Its jet airport is being enlarged to handle international flights.

Taiwan leaders see it as their closest gateway to Southeast Asia and foresee a Kaohsiung population of over one million before too long.

It already is a key naval base and the seat of three Free China service academies.

It outweighs Taipei now in oil, iron, cement and aluminum.

Its new Export Processing Zone already is building up a free port activity that dwarfs even Honolulu's fondest dreams.

Its surrounding agricultural lands produce sugar, pineapple, rice and many truck crops.

Incongruously, oxen—seldom seen on the streets of metropolitan Taipei—lug scrap metal to a modern steel mill and come away lugging reinforcing bars, cartload by cartload.

Women laborers shield their faces with cloth, not for religious reasons or modesty, but so their skins won't become leathery under the sun and they can be soft and feminine at night.

Cheap labor is still one of the prime inducements Taiwan offers to outside investment capital.

But energetic workers, skillful managers and a stimulating political atmosphere have made Taiwan's aid-fueled economy grow so that everyone can get a bigger slice of pie than a few years ago.

The mainland Chinese who fled to Taiwan in 1949 inherited a land that had been under Japanese rule until the end of World War II and a populace who had been kept by the Japanese in subservient jobs, denied advanced training and study for the most part, and lacking in skills and experience.

The mainland refugees were skilled and managerial people in many instances, but it still required extensive training to develop the widespread know-how to run the Taiwan of 1966.

Writing for Reader's Digest early this year, Keyes Beech and Clarence W. Hall commented:

"Taiwan is a dramatic reminder to all Asia that communism is not the short cut to success that its prophets claim.

"On Taiwan, instead of hunger there is plenty; instead of scarcity there is abundance; instead of mass regimentation, there is comparative political freedom."

Free China, these writers add, achieved this by adopting means precisely opposite to those the Communists used to impose their tyranny on 700 million mainland Chinese.

Government encouraged the peasants with land reform (using a system in which former owners were fully compensated) and encouraged business and industry with inducements and incentives that attracted both foreign investment and the capital that had gone to the displaced landholders.

The results in Honolulu's sister city of Kaohsiung are fascinating to behold.

Tsai Wen-Yu, who visited Honolulu in June, runs a fishery association that sends ships over half the surface of the globe from Samoa to the Atlantic—and includes in its haul much of the mahimahi served on Hawaii tables.

The Fengshan factory of Taiwan Pineapple Company, just outside Kaohsiung, looks for all the world like the Hawaiian plants that inspired it (and which it now undersells)—right down to a water tank shaped and painted like a pineapple.

Kaohsiung's other industries includes an oil refinery, aluminum refinery, iron and steel plants, machinery manufacturing works, plastic plants, plywood plants, an alkali plant, a thermal power plant, an industrial water plant, cement plants, and a can-making plant.

CITY OF CONTRASTS

The mixture of modern and rustic reflects the emphasis on priorities and cheap labor.

Thus, the ride from the jet airport to town is still over a rutted, bouncy rural road, barely wide enougs for two cars to pass. (A better one is coming.)

But the cracking columns of the oil refinery look like those at Barber's Point.

A rail line moves the heavy north-to-south freight.

But ox carts do a lot of the close-in hauling within the city.

Motorbikes seem to be the most common form of individual transportation, with girls riding sidesaddle behind their boyfriends when evening falls.

The nearly-completed new City Council Hall puts Honolulu's facilities to shame, but Mayor Frank C. Chen still rules from a separate building that is a more ancient and more Asian version of Honolulu Hale—even with dividing tiled stairs off the center court.

It is not hard to say what impresses a visitor the most, at least a visitor who had just come from Micronesia.

If the typical person in Micronesia was someone sitting in a door, watching the world go by, here the typical person is someone bustling—whether by foot, bike or auto.

Go, go, go—seems to be the watchword here.

Almost everything is active. Only the ox-driver, sitting placidly behind his plodding beast, seems apart from the pace, and even he will get up often to walk alongside the animal.

Speaker Wang Yu-Yun of the Kaohsiung City Council is proud to display his city—from an attractive mountain view of a sparkling nighttime port city to the black sand public beach near the harbor entrance where five cents admission is asked of the bathers.

It is a city that lies on about the same latitude as Honolulu, and its vegetation and terrain seem familiar to an islander. But the leaves that look like taro turn out to be lotus, and the Chinese temples by Chen-Chin Lake remind the visitor that this land is as authentically Chinese as even ancient Peking.

Since 1945, Wang explains, Kaohsiung's population has more than tripled, but activity at the harbor has grown more than sixfold.

The free port is expected to attract industries that will create 15,000 new jobs, maybe 30,000.

Wang is proud that one-fourth of Kaohsiung's population is in school—including 98 percent of the children aged 6 to 12. An extra three years soon may be added to the compulsory schooling.

Many of the school buildings are new, modern and multi-storied.

Wang and Kaohsiung's city fathers have to operate on a budget one-third that of their Honolulu sister.

But in a speech following his return from Honolulu, Wang said Kaohsiung should emulate Honolulu in putting more emphasis on traffic control and also in devoting a greater part of the budget to public health.

In the outskirts of Kaohsiung, homes of farm families are clustered together. Chickens, dogs and an occasional goat share the rights of way with children and adults.

In the center of town, a statue of Sun Yat-sen, who was trained in Hawaii and plotted here for the overthrow of the Manchu dynasty, smiles down on the crowds at a central square.

Kaohsiung and Honolulu have been sisters since Kaohsiung suggested the relationship in 1962 and Honolulu accepted. That makes Kaohsiung Honolulu's newest sister.

But the common bonds go back much farther.

Even before Sun Yat-sen came to Hawaii, still earlier Chinese migrants had come to the Islands and started the first rice and sugar-planting here.

Speaker Wang sees the sisterly relationship of the two cities as something of real value. He only hopes the tempo of the exchanges will increase.

Not only Honolulu but all the world should know more of the miraces being wrought on Taiwan and at Kaohsiung.

Kaohsiung is Honolulu's proud sister, and properly so.

[From the Honolulu Star-Bulletin, Aug. 1, 1966]

OUR THREE ORIENTAL SISTERS: NAHA PLAGUED BY LACK OF GUIDANCE, GOALS

(By A. A. Smyser, editor, the Star-Bulletin)

More than one American has discoverd that prosperity does not automatically spell happiness.

So has Honolulu's troubled sister city of Naha, Okinawa.

Naha, in some ways, has never had it so good.

Whatever might be wrong with it—and it does have serious problems of finance, health, planning and politics—it still can be said that things are better than they used to be, in most cases much better.

Yet Naha—with a population of 250,000—suffers from the lack of clear direction and clear purpose that have done so much to buoy Honolulu's two bigger sisters in the Orient—Kaohsiung on Taiwan and Hiroshima, Japan.

At the root of Naha's most frustrating troubles are political.

A Japanese culture has been overlaid by an American government.

Someday, says the United States, Okinawa will revert to Japan.

But for the present we are hanging on and hanging on hard and that someday may be quite a few years off.

DIFFICULT TO FOCUS ON FUTURE

Young men in Okinawa feel frustrated. Which way should they point their careers—toward Japan or toward the U.S.?

Others feel a lack of identity. They are stateless people when they travel—requiring passports from both the U.S. and Japan.

"We are a colony," says one Okinawan.

"We don't belong anywhere," say another.

"This is a bastardized form of government," says a high official.

"Yankee, go home," chants a violent fringe that represents only a tiny fraction of the populace.

Considering all that, it would seem unlikely that the American at the top of the totem pole could be a popular figure.

Yet Lieutenant General Albert Watson II is popular indeed. Okinawan leaders across a broad spectrum seem to agree that he is the best-liked high commissioner the U.S. has yet assigned and that his policy of "flexibility" has done a lot of good for the U.S. and relieved a lot of tensions.

One of the most important statements General Watson ever made on Okinawa was to the Ryukyuan Legislature on February 1, 1965.

"I will," he said, "transfer to the Government of the Ryukyu Islands all functions which the United States is not compelled to retain in the interest of accomplishing its essential military mission here."

PROCESS IS FAR FROM COMPLETE

His popularity rests importantly on the fact that he has indeed transferred many powers to the local government—and says the process is far from complete.

He also has done his best to wipe out what signs he can of U.S. colonialism and to remove from the scene Americans who might show a colonial superiority complex—a manifestation that deeply bothered a Honolulu Chamber of Commerce group visiting Okinawa two years ago. In four days, I saw very little of it.

The general has made himself available to Ryukyuan leaders and is considered by them to be a person with whom they can speak easily and frankly.

But a considerable amount of the real decision-making power on Ryukyuan civil affairs still rests in U.S. rather than Ryukyuan hands.

MILITARY, CIVIL AREAS INTERMINGLED

One reason given is that the military bases and civilian areas are so intermingled on Okinawa that it is impossible to draw any clear line between them—such as runs between Guantanamo and the rest of Cuba.

Another is that if the U.S. administrators and advisers were to be pulled out of Okinawa, the Ryukyuans would not have the skilled talent available locally and might have to turn elsewhere for it—possibly bringing in Japanese or others who might be hostile to the U.S. military presence.

The "Yankee Go Home" fringe is small in Okinawa—(maybe 500 people out of one million) but it is vocal indeed—and just enough to frighten the U.S. administrators into brooding over the possibility of hostile political parties swinging into power in either Okinawa or Japan, and taking advantage of a too-relaxed U.S. posture to try to force the U.S. out of its Okinawa bases before it is ready to go.

Okinawa is a bastion on which the U.S. has planted one billion dollars in capital improvements and another half billion in inventories for its Pacific defense. It also was the bloodiest and costliest Pacific terrain captured in World War II.

Okinawans still recall the morning of April 1, 1945, when they looked out and could hardly see the horizon for the U.S. invasion fleet gathered offshore.

WHEN WILL UNITED STATES BE READY TO GO?

When will America be ready to go?

Certainly not during the Viet Nam war.

Hardly, while Red China remains a menacing neighbor just 400 miles away.

Hardly, in other words, for at least 10 years, possibly much longer.

Under the Japan Peace Treaty, the U.S. feels it has clear and unrestricted military rights in Okinawa for as long as it cares to stay. The Japanese government admits as much though some minority parties would read the language otherwise.

The problem is made no easier by the fact that Japan has become America's strongest Pacific ally, and that U.S. must be especially careful that its Okinawa policies do not give offense.

This seems to have been a major reason for both Presidents Kennedy and Johnson making public commitments to the eventual reversion of Okinawa to Japan, even though some U.S. diplomats don't see that as implicitly required by the peace treaty.

ECONOMY NOT UNLIKE HAWAII'S

Pending reversion, Okinawa is developing an economy much like Hawaii's with military spending as the major prop, and sugar, pineapple and tourism in supporting roles.

The Okinawans who see reversion to Japan as too far remote got some small comfort from 15 Hawaii legislators last May who told them Hawaii had managed through 59 years of territorial status before it finally got Statehood.

Hawaii survived and prospered.

So, too, should Okinawa—but its situation is much more complex and frustrating than Hawaii's.

Hawaii had substantial local autonomy and was responsible only to its own adopted parent, Uncle Sam.

Okinawa has far less autonomy and the administering power doesn't claim parenthood, or even step-parenthood, just custodianship.

Okinawa sometimes goes crying with its problems to its parent, Japan, as in the recent instance when General Watson fired up the Yankee-Go-Homers by withdrawing two legal cases from the Ryukyuan courts. But Japan can do little more than sympathize and promise to talk to the U.S. about it.

DIFFICULT SITUATION FOR ALL

The situation is a difficult one for everyone.

Seiho Matsuoka, the chief executive of the Ryukyuan government (elected by the legislature), and General Watson obviously have a considerable respect for each other as well as a good personal rapport.

But Matsuoka, who once worked and studied in Hawaii, says the General is like a father with a 40-year-old son, who still thinks the boy can't fend for himself and won't let him try.

Practically every responsible Okinawa leader that I talked to echoed this same complaint in one form or another.

President Genshu Asato of the University of the Ryukyus says one of America's greatest errors in Okinawa has been its assumption that Okinawans are not competent.

He thinks this is a misconception with which the U.S. started its administration and has not yet shed, partly because the language barrier has impeded communication.

Speaking of the 400 U.S. Civil Administration people who overlay his government (more than 200 of them are Okinawans), Matsuoka said:

"They think we are a little lower than they are. We don't think so. We know more than they know, and we can do equal or better than they."

Matsuoka cites development loans, the water and power corporations, and the Bank of the Ryukyus as U.S.-controlled activities that would run better if turned over to the Government of the Ryukyus. In electric power, he is speaking of the source of his own personal wealth.

Matsuoka worked in sugar and pineapple fields in Lahaina, Maui, and on Oahu beginning in 1912 then went to a number of schools here, among them Iolani and Central Intermediate.

He thinks the U.S. should cut its civil administrative force from 400 people to about five, retaining just enough administrators and power to intervene when necessary to protect U.S. military interests, which include major bases for all the services.

Here again, Matsuoka voiced a widely-echoed theme—the willingness, even eagerness, to see U.S. bases remain and be under clear U.S. control though some of the minority parties would restrict them to non-offensive missions, the same as in Japan.

Okinawa's relation to the Viet Nam war, 1,400 miles away, is primarily that of a support base.

AS FOR ECONOMIC SUPPORT

If the U.S. should give the Ryukyuans more autonomy, should it then also feel justified in curtailing its substantial economic support to the Ryukyuan government?

Only, says Matsuoka, if it is willing to give up control of the Ryukyus to Japan. Then Japan should pick up the load.

At present, in an unusual arrangement, the Ryukus get support from both the U.S. and Japan—with the Japanese contributing quite a few millions directly and still more by purchasing Ryukyuan sugar and pineapple in a protected market.

To Kazufumi Uechi, publisher and editor of Okinawa's largest paper, the Okinawa Times, the U.S. has not done as well in Okinawa as Japan would have done because the U.S. mission is primarily military.

He suggests that economic development would be Japan's prime concern and that Japan as an administering power might, for example, have concentrated more on rebuilding the sugar industry than on building wide roads.

If the U.S. insists on holding Okinawa for military reasons, he contends, then the U.S. has a responsibility to do better in Okinawa than Japan would do.

He says his studies convince him that so far the U.S. has not done this.

Arguments in this same vein are offered to show that, in various ways, Okinawa as a Japanese prefecture would fare better than Okinawa is faring under the U.S.

SOME U.S. AIMS PREFERRED

It is admitted, on the other hand, that in some areas—for instance, the political liberty of teachers—the U.S. system is preferred.

Some Americans think the Okinawans are talking louder than they are prepared to act, and not above playing off the U.S. and Japan to try to get the best of both worlds—have their cake, eat it too, and have the U.S. and Japan foot the bill.

U.S. officials say that on a few occasions they have offered to return certain powers and found the Ryukyuans unwilling or unable to accept them.

The Okinawans are undoubtedly shrewd bargainers—but Hawaiians who remember the pains of second class territorial status and of World War II military rule will also recognize genuine frustration in Okinawa's political plight.

To recognize it is simpler than to cure it.

Even though most Okinawans are agreed that the U.S. military bases must stay for the forseeable future, they would have (certainly) local autonomy and (possibly) even full reversion to Japan go ahead even while the bases remain.

To the present U.S. administrators, reversion seems out of the question for now. More local autonomy they will grant, but hardly as much as is wanted.

To Shui Ikemiyagi, president of the daily Ryukyu Shimpo, General Watson has taken two or three steps in the right direction, but there are 10,000 to be taken.

In the view of many Americans, the talk of reversion and autonomy is principally the work of intellectuals.

By and large, most Okinawans, they think, are too preocupied with day-by-day problems, too happy with their improved economic prospects, to be politically concerned.

YOUNG PEOPLES' VIEWS UNCERTAIN

There is even, it is suspected, a younger group that has no great enthusiasm for reversion, though young and old agree that Okinawa culturally and ethnically is Japanese.

Older Okinawans are outspokenly pro-Japanese, even though they remember when the Japanese acted as overlords and treated them as second class citizens.

They say this had abated before World War II.

For all the power and wealth of the U.S., Okinawa still has many unpaved streets, many people receiving welfare aid, and serious problems with tuberculosis, mental illness, trachoma and other diseases—including many patients confined at home for lack of adequate hospital space.

But Okinawa also has a prosperity and vigor it had never seen before—real progress in many health areas, paved highways, thousands of autos widely distributed through the population, and the joys of traffic jams and increasing numbers of traffic lights.

Naha was as flat at the end of World War II as Hiroshima—mainly due to pre-invasion air raids by the U.S. forces.

It now is rebulit and bustling, though it has not matched Hiroshima's success with master planning.

The Ryukyus have a university for the first time.

Per capita income is the second highest in the Orient, exceeding all but Japan, and ahead of some of Japan's poorer prefectures.

Naha's bars and taxi dance halls jump at night—its bull fights (between two bulls and without matadors) thrive on weekends.

Its leaders dream of still better things to come.

UNITED STATES HAS THREE KEY OBJECTIVES

The three objectives of the U.S. Civil Administration in the Ryukyus are to (1) promote effective government; (2) develop a viable economy, and (3) improve the standard of living.

Okinawans and Americans today have major differences—as outlined above—on what a truly effective government would be.

No. 2 is a problem, too, though No. 3 seems to be moving along all right.

With labor costs triple those of Taiwan, Okinawa might be hard put to get along without the U.S. military bases and still maintain its prosperity.

But when an American suggests this, political leaders like Tsumichiyo Asato, of the minority labor party, bridle at the suggestion as some sort of effort to bribe the Okinawans to like the bases.

Matsuoka, the chief executive, would—against the wishes of many Okinawans—welcome more foreign (including U.S.) investment as a way of developing the economy.

Naha's Mayor Junji Nishime, a bluff and hearty politician who somehow brings Vice-President HUBERT HUMPHREY to mind, has visions of Okinawan fishermen moving back into the Pacific Trust Territory to help revive the fishing industry there, and of Okinawan farmers rebuilding Micronesian agriculture.

He also dreams of Okinawa being the only Pacific base with an air terminal big enough to land the new 490-passenger jets and sees Okinawa becoming a transportation hub, from which travelers would fan out to the smaller, more limited airfields at Hong Kong and Tokyo.

Nearby, on one of the small Ryukyuan island groups, he would locate a Western Pacific counterpart of Las Vegas.

PRESSING PROBLEMS REMAIN

He is at work, meantime, trying to make headway on the problems of city planning, road construction, homebuilding, park and port development, water distribution, sewage collection, refuse disposal and land title adjustment that plague his boom city.

Finances are the biggest headache of all.

But he has set an example of what can be with an elaborate City Hall building that puts the offices of the Government of the Ryukyus in the shade.

And he continues unabated the fervor that got him elected mayor six years ago at the age of 39.

THEY'RE THE ISLANDS OF FATE

Sometimes the Ryukyus are called the Islands of Enchantment, or the Islands of Song and Dance, or the Land of Courtesy.

They also—after many overlords—have been called the Islands of Fate.

In the opening scene of the famous play, "The Teahouse of the August Moon," the Okinawan interpreter, Sakini, ambles up to the footlights and puts it this way:

"History of Okinawa reveal distinguished record of conquerors.

"We have honor to be subjugated in 14th Century by Chinese pirates.

"In 16th Century by English missionaries.

"In 18th Century by Japanese war lords.

"In 20th Century by American Marines.

"Okinawa very fortunate.

"Culture brought to us . . . Not have to leave home for it.

"Learn many things . . .

"Not easy to learn.

"Sometimes painful.

"But pain makes man wise.

"Wisdom makes life endurable."

[From the Honolulu Star-Bulletin, Aug. 2, 1966]

OUR THREE SISTERS: HIROSHIMA SCARRED BY DAY OF DESTINY

(By A. A. Smyser, editor, the Star-Bulletin)

Of Honolulu's three Oriental sisters, Hiroshima is the beautiful but sad one.

Hiroshima, like Pearl Harbor, is a name that will live in history.

But Hiroshima, more than any other city of World War II, is still living with its day of destiny and is indelibly marked by it.

Not by choice.

While the war in most other areas is recalled mostly in monuments and markers, Hiroshima still has 95,000 citizens who must go for semi-annual medical checkups, knowing that because they were in Hiroshima on August 6, 1945, their chances of leukemia, cancer and other illness are well above Japanese national averages.

If it tries to forget, the mass media recall. Visitors recall. Residents recall.

The scars of 1945 are no longer particularly evident on the streets but there still are women with dress patterns scarred out of sight on their bodies because dark colors absorbed the flash and light ones deflected it.

"BEST NOT TO TRY TO FORGET"

Mayor Shinzo Hamai is one who thinks it's best not to try to forget.

Rather he would hope to draw a lesson of peace from all that has happened and thinks Honolulu is peculiarly suited as a sister city to help in this mission.

One day not long ago the Mayor sat at lunch in the aptly named New Hiroshima Hotel, not far from bomb center, on the edge of the Peace Park that marks the site.

The hotel is beautiful, modern, open and airy—one of the works of Tokyo architect Kenzo Tange that won him a Gold Medal citation this year from the American Institute of Architects, the first Japanese architect to be so honored. Earlier the Hawaii A.I.A. had honored him.

From the attractive hotel, the mayor looked out over the park and city and recalled some of the history of 21 years.

He had been the leader of the city for most of that time, one of the people who rise to a crisis and seem to know what to do when others are still wandering and confused.

DEVASTATION CALLED INDESCRIBABLE

The mayor said he could think of only one word to describe the situation in the weeks immediately after the explosion—"indescribable."

He repeated it—"indescribable."

The mayor continued:

When people finally began to collect themselves they found that 10 members of the City Council were dead. The mayor was dead. Only 400 members of the city government turned up out of about 2,000.

The area was a wasteland. No food. No clothing. Nothing. The rest of Japan had too many aches to help much.

The Hiroshima newspaper was one of the bits of Hiroshima that stayed alive.

A notice was placed in the paper asking all government employees to return to work by a certain date or be considered as having resigned.

This brought the total of available people to something close to 1,000.

Many of the first jobs were simply those of holding on.

BROKEN WATER PIPES

The bomb, for instance, had broken water pipes all over the city. Water was running out of hundreds of broken mains. There was no water pressure to send water into the homes that survived.

City crews went out to hammer shut the broken pipes. But people wanting water opened them up again.

The atmosphere was not unlike a U.S. western frontier town. For safety, the crews that closed the pipes were kept large in size—six or more in a group, working usually at night.

Finally, water presure returned to homes and the water battle subsided.

A committee was formed to discuss the rebuilding of the city. It included government leaders and leading surviving private citizens, a very dedicated group.

From the beginning the committee was divided by a serious debate over whether the city should be rebuilt at all.

There was substantial sentiment for abandoning the place. There was talk that nothing would grow there for 75 years.

This debate went on as the city struggled to care for its injured and meet its other urgent daily needs for food, clothing and shelter.

Hamai was on the side of those who wanted Hiroshima to live on.

The City Hall building, incidentally, was one of the few structures still standing.

One day in March of 1946, Hamai discovered a very simple thing—on a cherry tree outside City Hall there was a blossom. Then two others bloomed.

It was a sign. Things would grow.

About the same time, squatters were moving back into the devastated area.

People were coming back and things were growing.

With this the die was cast: Hiroshima would be rebuilt!

It also was determined that Hiroshima should be rebuilt attractively according to a plan, and not haphazardly.

The idea took hold, but there were no funds.

Hiroshima was entitled to the grants-in-aid provided from the National Government in the War Damage Rehabilitation Law, which was applicable to numerous Japanese cities that had suffered more or less destruction in the war years.

But even this law was of little help in meeting Hiroshima's ambitious master plan—so that for five years the reconstruction made slow progress.

PERMANENT PEACE MEMORIAL

Then, as Japan itself awoke to the need of permanent peace, there developed the idea of creating Hiroshima as a permanent peace memorial.

This led to the enactment in 1949 of the Hiroshima Peace Memorial City Construction Law and led to the flow of national funds that started the active regeneration of Hiroshima as a new and modern city.

Hiroshima lies at the edge of the beautiful Inland Sea, a lovely body of water broken by rounded, green islands.

Green mountains surround Hiroshima itself, though the city proper stretches wide and flat in a river delta—the point where six tributaries of the River Ohta run into the Inland Sea.

Hiroshima Castle, founded in 1589, had been a focus of the pre-war city. Around it, streets clustered tight and narrow, their very tightness serving as a protection for the castle.

The castle was re-built after the war, in 1958, but not the narrow streets.

The grandest street of all is Peace Boulevard—100 meters wide (some 326 feet). Critics said it was too much but the Mayor and others held fast.

HAWAIIAN OLEANDERS GROWING

White Hawaiian oleanders now grow in some of its central gardens, their whiteness satisfying those who felt the pink Japanese oleanders were too much a reminder of blood.

Today, like other Hiroshima streets, Peace Boulevard is still not fully paved, but is crowded with traffic and those who advocated it have been vindicated. Eight per cent of the new city has been saved for parks, twice the average for the rest of Japan.

For all the rebuilding, there is still more to be done.

A new increment of the water system was completed last month but the city has grown so fast that more is needed already.

The sewer system has nowhere near come close to keeping pace with growth and Mayor Hamai rates this his most pressing problem today.

But for all his problems, there is also accomplishment, proud accomplishment.

Children play and go to school again in Hiroshima. The Hiroshima Carp recently hosted a national all-star baseball game. There is a relatively sedate night life, liveliest at such spots as Cabaret Honolulu and Cabaret Hong Kong.

POPULATION CLOSE TO 580,000

Hiroshima had a population of 420,000 in World War II. After the bomb—with an estimated 200,000 dead—the count was down to 136,000.

Gradually this grew to close to 580,000 today and the proposed addition of some suburban areas would push it to 700,000.

As in pre-war, Hiroshima is again the acknowledged leader of western Honshu.

In some views, Japan is developing a megalopolis or continuous populated area from Tokyo to Osaka, much like the U.S. strip city from Boston through New York to Washington.

In this same concept, Hiroshima, Sapporo, Sendai and Fukuoka are looked on as the secondary regional centers around which other population growth will focus.

Hiroshima is the seat of the Hiroshima prefecture (roughly equivalent to our state) and also of an informal grouping of five prefectures known as the Chugoku Region, extending for 75 miles on all sides of Hiroshima.

PRODUCTS MADE IN CITY

Mitsubishi Heavy Industries Company has located a major shipbuilding and repair activity at Hiroshima. Toyo Kogyo Company now makes hundreds of thousands of Mazda autos there as well as other products. Both of these by their faith helped the city to rebuild.

Sponge sandals, rubber shoes, safes, pumps, turbines, sewing needles, rock drills, flowerpins, glass beads, rubber balls, furniture, stationery, rice wine and oysters are other major products of post-war Hiroshima.

Pre-war Hiroshima was a major military base for all of Japan. This was one of the factors that led to its fate in 1945.

Now there is almost no military activtiy there, though the throb of the Viet Nam war heightens industrial activity in Hiroshima as in much of the Orient.

Another difference pre-war to post-war is in the look of the town, the wider streets and better plan.

But the greatest change is in its people.

Pre-war Hiroshima was proud that it supplied some of the best soldiers and sailors in the Japanese armed forces.

WEAK IN AGRICULTURE

Partly this was because it was weak in agriculture and sons gravitated toward the military service. (Similar factors helped fuel the migration to Hawaii in the late part of the last century.)

Now, Hiroshima has seen—as has no other city but Nagasaki—what atomic war is like.

As Mayor Hamai says, what happened in Hiroshima is the minimum of what would happen in nuclear war today.

Thus he leads a city deeply dedicated to world peace, apprehensive of what it sees around it in today's world, determined to do its best to bring world wide sanity and understanding.

This week, the four Rotary Clubs of Hiroshima are marking the 21st anniversary of the bombing by mailing to 11,000 clubs all over the world messages about Hiroshima's rebirth, its industry, its Peace Memorial, its tourist charms and its desire to see a peaceful world built through mutual understanding and mutual trust.

If there is recrimination in Hiroshima, it certainly was not visible to this visitor. For Americans there is a genuine friendliness. For Hawaiians even a little more.

But war is not something that anyone forgets very lightly—and Pearl Harbor and Hiroshima are two names etched forever in the memory of all who lived through those days.

As Mayor Hamai says: "The war started in Pearl Harbor and ended here. Honolulu and Hiroshima should not merely get together and be friendly. Let's have a loftier ideal and work together for world peace."

HIROSHIMA EYES NEW SISTER CITY

Hiroshima has an invitation to accept another sister city.

The proposal is from Volgagrad, Russia, better known to Americans as Stalingrad, where the German invasion of Russia was finally stopped in World War II.

Mayor Shinzo Hamai of Hiroshima accepted a Russian invitation and visited Volgagrad earlier this year.

He is impressed with its rebuilding and thinks the Russians have managed to achieve more symmetry of design than is possible in free enterprise cities like Hiroshima and Honolulu.

He also finds little evidence there of the kind of poverty he has seen in both the U.S. and Japan, and more real democracy than many outsiders would suspect.

Russian visitors to Japan and Hiroshima have been on the increase recently—many of them in tour parties from all over the U.S.S.R.

Moscow-Tokyo and Lenigrad-Osaka sister relationships also have been proposed.

None of these invitations have been accepted as yet, but neither have they been rejected.

It is safe to assume that the Japanese cities are proceeding cautiously, partly because of the Viet Nam war and U.S. sensibilities.

Mayor Hamai says that Hiroshima, of course, would not accept the Volgagrad invitation without first consulting Honolulu.

Having had, however, opportunities to meet with both Soviet and American leaders in substantial numbers, he offers his estimate that both sides have prejudices in looking at the other.

Americans think Russia may start a war, and vice versa, he says.

Fear leads to suspicion—and fear and doubt are what concern Hamai.

He believes that mutual understanding between the two great powers is possible, that the everyday people of both truly crave peace, and that Japan might be a good go-between.

Both sides, says Hamai, need to respect each other. "He who fails to respect the other will lose."

MAYOR SEEKS HOSTS FOR VISITING STUDENTS

The Mayor's office is looking for families to provide accommodations for seven Hiroshima high school students who will arrive next Tuesday on a goodwill mission.

The visit is part of the sister-city program between Honolulu and Hiroshima.

In order that the four girls and three boys may experience American family life, plans are being made to have them live with local families during their 10 days here. Host families are needed for several of the group.

Any Honolulu family with a son or daughter between the agees of 15 and 18 and who would like to host a Hiroshima student, is asked to telephone the Mayor's office, 568-442.

[From the Honolulu Star-Bulletin, Aug. 3, 1966]

OUR SISTER CITIES: A SUMMARY—GREAT BENEFITS SEEN IN WIDER CONTRACTS

(By A. A. Smyser, editor, the Star-Bulletin)

Among 700 of the larger U.S. cities and towns, 325 have set up sister-city affiliations with 375 foreign cities and towns in 57 different countries.

Honolulu is one of the champions in affiliation. It has four sisters: Hiroshima, Japan; Naha, Okinawa; Kaohsiung, Taiwan, and Bruyeres, France.

Is the program worthwhile?

"Absolutely," says Mayor Neal S. Blaisdell.

When the U.S. Conference of Mayors meets here next June, he will invite the mayors of all of Honolulu's sister cities to attend, plus the mayors of other cities around Asia and the Pacific Basin including South America.

He also plans to invite a scattering of European mayors to make it a truly international gathering. The U.S. State Department is cooperating.

Most of the foreign mayors will have U.S. sister-city mayors to help act as their hosts.

Blaisdell thinks the opportunities to get together and talk will be fruitful and worthwhile.

BURNS SEES VALUE

He gets no dissent in this view from Governor John A. Burns, even though they happen to be of different political parties and are occasionally at odds on other issues.

Burns joins President Lyndon B. Johnson in seeing a Pacific Era ahead, and thinks the main thing wrong with exchanges around the Pacific so far is that they have been inadequate.

He says the eventual worth of increased association among Pacific peoples can't be measured, and adds that he sometimes has felt like a voice in the wilderness in advocating more international visits and exchanges.

In the Governor's eyes, Hawaii has been too self-centered in this regard, reluctant to move outside its borders, and without a sense of purpose on the part of the whole community as to the advantages of wider contacts and friendships.

The press, he says, has often been critical of travel of this nature, assailing it as junketing, and making politicians gunshy about their trips.

Such travel costs money, but Burns is sure the accrued benefits, while immeasurable, are great.

STRONG ARMY SUPPORT

The Governor feels that self-interest alone justifies further promotion of international exchanges.

The U.S. Army agrees.

Through its Pacific friendship missions, it has over the past eight years sponsored 11 exchanges of goodwill groups from the civilian communities of Hawaii and the Ryukyus, nine with Japan, five with Korea, four with the Philippines and four with Taiwan, plus a 1961 mission to several countries.

The Army-directed U.S. government in the Ryukyus may foot the bill next February to send the full 32-man Ryukyus legislature to Hawaii.

The Army views its program as a two-way effort to let Asians see America, and Americans see Asia.

Better understanding within the spirit of the People-to-People Program started by President Eisenhower is the object of the Army exchanges.

General John K. Waters, who retires this month as Commander of the Army in the Pacific, says they have ethnic groups in Hawaii to establish contacts in the countries of their origin, and have given Asians a chance to see for themselves that democracy really works in the U.S.

General Waters says the goodwill generated by the trips has been beyond expectations, and pays tribute to the local civilian community for its cooperation in hosting the foreign visitors.

Colonel Charles R. Jackson, assistant chief of staff with the U.S. Army Pacific, says the exchanges also have helped to provide a bridge between the civilian and military populations in the participating areas and has been successful intra-community as well as inter-community.

COULD DO MORE

Herman G. P. Lemke, the chairman of the City Council, is another advocate of the sister city program.

He feels it opens new channels of contact aside from the normal military and diplomatic routes.

Councilman Cleson Chickasuye was chosen for one visit to Hiroshima, partly because his parents came originally from that area. His aunt died there when the atomic bomb was dropped.

He notes that our sister cities seem to put more stock in the relationship than we do, and agrees that more should be done locally.

Hiroshima would like to see City Hall send back an official group of Honolulu youngsters to match the group it is sending here next week, and sends annually.

This would be in addition to another exchange program carried on by the Y.M.C.A.'s in each area.

Chikasuye notes an uncertainty as to whether such trips are justified under the city charter, and cites the same political sensitivity to criticism on junketing that Governor Burns raised.

Councilman Lemke thinks the total number of sister-city contacts should be limited but thinks an additional relationship with a Philippine city would be a natural for Hawaii.

Mayor Blaisdell thinks there should be no more than one sister city in any country in order not to dilute the relationship.

The relationships, he says, are not costly and the accruals are good—personal contacts, trade missions, friendships, understanding.

WELCOME RUSSIAN TIES

Honolulu's first sister city—Hiroshima—is considering an invitation to strike up an alliance with a Russian sister, Volgograd, formerly Stalingrad.

Governor Burns, Mayor Blaisdell and Council Chairman Lemke all think it would be an excellent idea.

The Mayor thinks such a relationship would be a wonderful thing, entirely consistent with the purpose of the people-to-people program in creating friendship and understanding. He thinks Honolulu itself could use a Russian "sister."

Lemke concurs, even volunteering the same comment—"wonderful." He feels that even if the U.S. and Russia are somewhat estranged at this time, the relationship should be encouraged and could be valuable.

Governor Burns perhaps summed up more feelings than his own in saying of the programs:

"They have an intrinsic value that is hard to check. You can't buy friendship—or put a price tag on it."

THE SUPERSONIC TRANSPORT: NEEDLESS SPENDING

Mr. McGOVERN. Mr. President, the Sunday Star carried an excellent editorial on August 14, 1966, pertaining to the dubious value of expenditures on the development of a supersonic transport plane.

The editorial reflects growing concern over an expenditure that may be a complete waste of the taxpayer's money. Speaking in the U.S. Senate on Tuesday, August 9, 1966, I stated that my opposition to the SST was motivated by two major considerations. First, the complex technical problems inherent in the operation of the plane while in flight led me to seriously doubt its ultimate safety or feasibility. The Sunday Star editorial eloquently underlines the many technical problems that haunt this proposed aircraft. Second, in light of the

President's plea to eliminate nonessential expenditures, I stated that it seemed commonsense to delete this costly frill from the budget. With this in mind, I hope that Senators will carefully consider the thoughtful editorial in Sunday's Washington Star and take a "hard, last look" at what is, I believe, needless spending. I ask unanimous consent, Mr. President, that the editorial may be printed at this point in the RECORD.

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

[From the Washington (D.C.) Sunday Star, Aug. 14, 1966]

SUPERSONIC TRANSPORT A DUBIOUS VENTURE

Within a few weeks, American industry must submit final bids and specifications on the supersonic transport airplane. Government contracts to build the airframe and jet engines will be awarded by the end of the year.

This is a project the taxpayer should view with more than a little interest, if not apprehension, for its cost is coming out of his pocketbook and the price tag is escalating. The SST started out at a $1 billion level. Uncle Sam, back in 1960, was willing to pick up half the cost. Now, according to General Jewell C. Maxwell, director of the Federal Aviation Agency's SST program, the cost "may exceed $4 billion." And the federal government's share looks closer to 90 percent. Industry may repay the cost some day, but no one is sure just when.

The events surrounding the SST clearly demonstrate that this program now is being moved by extraordinary pressures, some rather remote from the original, simple notion of getting passengers from New York to Europe at 1,800 miles per hour. The companies with an interest in multi-billion-dollar contracts are understandably enthusiastic. But advocates also have moved the argument to the higher levels of international rivalry and the cold war.

The SST is America's answer to the Concorde, a planned British-French transport capable of 1,450 miles per hour, due for airline service in 1971. It also is our riposte to Soviet plans for a similar supersonic airliner, the Tupolev 144, production date still vague. To be sure, Soviet commercial competition remains almost invisible today; Aeroflot serves only one city in the Western Hemisphere, Havana, and the Victorian decor on its planes has been a standing joke in the industry. But this does not deter SST advocates from dragging in the "cold war" argument.

The SST, in fact, has become a symbol of national prestige. A pledge to build it was written into the Democratic Party platform two years ago. President Johnson this year has declared he wants an SST second to none. It is widely stated that if we do not produce such a plane, American leadership in the aircraft industry will sustain a loss of face from which it could not recover.

Perhaps it is impossible to back away from the situation. But the American public is at least entitled to know what kind of mare's nest this rivalry has got us into, and the hazards that must be faced. As floor debate indicated last week, some senators entertain grave doubts about the wisdom of the program.

Flying at 1,800 miles an hour is not simply a question of building a conventional jet with more powerful engines. The problems multiply to a frightening degree, and they include imponderables not only in engineering but in economics, airport congestion, the health of crews and passengers, sonic booms, and even consumer psychology.

The increased speed will bring a huge rise in the surface temperature of the SST's fuselage, for example, reaching 500 degrees. The effects in the FAA's words, will cause "severe stresses to develop between the hot external and cool internal structure." The SST will in fact grow one foot in length during the heating process on each flight.

To get rid of internal heat from other sources, some ingenious solutions are being put forth. The B-70 bomber carried dry ice, but there won't be room for this aboard the passenger plane, so engineers suggest using the plane's fuel as a coolant inside the fuselage, a proposal that has caused understandable uneasiness among some observers.

The very high altitude and speed means the plane will operate, in General Maxwell's words, in a "thoroughly hostile environment which so far has been penetrated by only a limited number of Air Force and NASA aircraft."

One of the hazards not much talked about is radiation. Dr. Kurt Hohenemser, professor of aerospace engineering at Washington University, notes that the dose rate from cosmic radiation reaches a maximum at about 70,000 feet. In an SST at this altitude, the crew would soak up radiation during a year's flights equal to the maximum annual dose recommended for workers in nuclear power plants. "It would seem appropriate," he quietly observes, "not to expose young stewardesses to such high radiation doses and to select the flight crew from middle-aged individuals who do not expect any more offspring."

The lack of maneuverability of the SST is another worry. At three times the speed of sound, this plane will need an estimated 100 miles of space to make a turn away from threatening air turbulence.

The hostile environment at 70,000 feet is implacable. It will not tolerate flaws in the fuselage. The outside skin of the plane will be hot enough to cook a chicken while the inside, inches away, is only 70 degrees. If cabin pressure falls at this altitude, the passengers cannot survive; in a matter of seconds their blood boils in their veins. The system must be failure-proof.

Let's assume the engineers can solve these matters. There remains others. The sonic boom is a factor that cannot be ignored, and its intensity increases with the size of plane. (The SST will be about the length of a football field.) NASA research indicates any turn at supersonic speeds intensifies the boom; fighter plane turns have increased the intensity as much as fourfold. There is also a phenomenon called the "superboom" which occurs when a plane is accelerated to supersonic speeds. To avoid disturbing the public, it is now planned to fly the SST 100 miles at modest speeds, presumably out to sea, before cracking the barrier.

The arguments being put forth to support the SST on an economy basis are curious. Because it goes so fast, we are told, one plane could make a couple of round trips to Europe daily, thereby amortizing its huge cost at a rapid rate.

But the SST will arrive on the scene in 1974 at a time when other highly competitive planes, with far cheaper rates, will be in service. Among them will be the so-called "stretched" jets capable of carrying 250 passengers for an estimated .8 cents per seat mile in direct operating costs, versus 2.6 cents for the SST. There also will be the jumbo subsonic C-5A, capable of carrying 750 persons. This latter plane, which has been called an airborne Holland Tunnel, will operate for an astonishing .5 cents per seat mile.

Dr. Hohenemser concludes that because of its high operating costs, the SST will obviously be limited to wealthy and expense-account travelers who go first class. At present, this group represents about eight percent of trans-Atlantic traffic. Is society going to change enough by 1974 to justify all the optimism about SST revenues? We doubt it. And is this expense-account class worth a $4 billion investment?

Most of our major airports are now overcrowded. Ground transportation into cities eats up a large percentage of time saved in air travel. The C-5A airliners alone, with their round-trip $150 transatlantic fares, promise to disgorge far bigger crowds into the terminals. The SST will not only complicate the picture but give the control tower operators a whole new set of headaches.

In the words of B. K. O. Lundberg, director-general of the Aeronautical Research Institute of Sweden, "Supersonic air travel has become a dangerous and costly race for international prestige, neither necessary nor very important or profitable." Before the final decisions are made, the whole proposition needs a hard, last look.

SCHOOL MILK BILL STALLED ON DEAD CENTER

Mr. PROXMIRE. Mr. President, legislation extending the school milk program was reported by the House Agriculture Committee over 2 weeks ago. Similar legislation was reported by the House Education and Labor Committee on August 3. Yet the House Rules Committee has not as yet given a rule to either piece of legislation. In fact, further hearings will be required in the Rules Committee before a decision can be reached on which piece of legislation to report to the floor of the House.

I cannot emphasize strongly enough the importance of passing this legislation before Congress concludes its business this year. It is true that the present authorization for the program does not expire until June 30 of 1967. However, it will be difficult for legislation to be introduced at the beginning of the next Congress, considered in committee, passed by both Houses, and considered in conference before the June 30 deadline. We all know the multiplicity of housekeeping chores which normally keep a new Congress tied up for the first few months. This makes early passage of school milk legislation next year even more unlikely.

Thus the responsibility is up to this Congress. It must act soon if the school milk program is to continue to be an operating reality.

WATER POLLUTION

Mr. MUSKIE. Mr. President, increasing public attention is being focused on our serious water pollution problems and the need to clean up the Nation's waterways. A recent editorial in Life magazine which strongly endorsed the Senate's unanimous approval of $6 billion Federal share for construction of water pollution control facilities, epitomized this trend in national concern.

In nearly every magazine, newspaper, and other publication, there seems to be an article or editorial on the quality of the Nation's environment and the need to expand the commitment of funds to control environmental contamination.

However, conflicts exist as to the cost of meeting this expanded commitment. The recently released survey of pollution

control facilities needs by the Conference of State Sanitary Engineers suggests that only $1 billion per year is necessary to meet the demand for treatment works.

Mr. President, I do not want to see control of water pollution lost in a numbers game. The fact is that really valid information on total costs has not yet been made available and probably will not be until January of 1968 when the report requested by the Senate bill is made available. In the interim, the Senate Public Works Committee has attempted to meet those needs evidenced by information received in hearings throughout the Nation and in Washington. That information indicates that the estimated $20 billion cost is conservative, and the $6 billion Federal share is a minimum.

During our hearings I asked the Secretary of Health, Education, and Welfare, John W. Gardner, and Secretary of the Interior Stewart L. Udall what advice they would give the subcommittee as to how much the Federal investment in water pollution ought to be if they did not need to recognize budgetary restrictions. I think Secretary Udall's response is particularly appropriate. He said:

> I know that those closest to the water pollution problem in the country, the members of this subcommittee in particular, have recognized for several years and have been saying publicly that the problem is of such magnitude that the Federal Government would have to make a very big contribution, billions of dollars, in order to lick the problem. I think the administration in its new program in essence agrees with this.

In order to create a better perspective of the demands for pollution control construction funds, I would like to cite a few statistics developed during hearings this year and relate them to the survey of the Conference of State Sanitary Engineers.

The conference reports that the State of New York has a total backlog of municipal waste treatment needs including ancillary facilities of $820,321,000. This figure does not in any way reflect information received by the Subcommittee on Air and Water Pollution during its hearings on S. 2947.

On April 28 Dr. Hollis Ingraham, representing Governor Rockefeller, testified that the people of the State of New York had approved, by a 4-to-1 margin, a $1 billion bond issue to finance pollution control. Dr. Ingraham had earlier stated:

> The barrier is the staggering expense of overcoming the huge backlog of needed sewage treatment works—$1.7 billion in New York alone.

Mr. President, Dr. Ingraham is commissioner of health for the State of New York. He has excellent credentials and should know the cost of pollution control for his State. It is therefore apparent to me that the estimates of the Conference of State Sanitary Engineers, with a figure of less than 50 percent of New York's estimated cost and, less than the bonding authorization voted by the people of the State of New York, must be questioned.

If this were the only conflict within the estimates of the conference I would be inclined to dismiss the point. However, Mr. President, the report is rampant with inconsistency.

A further example is that of the State of Massachusetts. That State is presently considering legislation which would provide for a $100 million bond authorization to finance the State's 30-percent share of the cost of pollution control. The Conference of State Sanitary Engineers estimates the total backlog for Massachusetts to be but $41,557,000. This is less than 15 percent of the estimated $300 million total that Massachusetts is expecting pollution control to cost.

In fact, Mr. President, the conference total is less than the single job of cleaning up the Merrimac River which is estimated at between $68 and $80 million. Senator EDWARD KENNEDY informed the subcommittee this year that, beyond the cost of the Merrimac, it is estimated that cleaning up the Connecticut River in Massachusetts will cost $20 million and the Blackstone River will cost $35 million.

To summarize a few other conflicts, Mr. President, I would cite these examples:

First. Conference estimate of backlog for Ohio is $38,626,000 and yet Mayor Ralph Locher, of Cleveland, estimates his city's cost to be approximately $900 million, or 25 times as great. This does not consider the other major or minor cities of Ohio.

Second. Conference estimate of the backlog for Maryland is $11,860,000 and yet Senator DANIEL BREWSTER, of Maryland, estimated the cost to the city of Baltimore alone as being $48 million.

Third. It is reported that the State of Connecticut will consider legislation next year authorizing $150 million as the State's 30 percent of pollution control. The conference estimates Connecticut's total backlog to be $39,931,000. This is less than 10 percent of the $500 million estimated by the State.

Mr. President, the cost of pollution control is great. I am afraid no one is prepared to really recognize the full magnitude of the problem. But, if we are to have clean water we, in the Congress, cannot stick our heads in the sand.

Throughout the Nation, communities are under order, via the enforcement process of the Federal Water Pollution Control Act, to clean up. They cannot be expected to comply without sufficient help from the Federal Government.

The Senate recognized this on July 13, 1966, by a vote of 90 to 0. I hope that this unanimity will prevail and we can get on with the job before the costs increase beyond reach or the rape of our water supply is so complete that damage is irreparable.

Mr. President, I ask unanimous consent that the excellent editorial from Life magazine be included at this point in the RECORD.

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

OUR AIR AND WATER CAN BE MADE CLEAN

There is a good chance that 1966 will be remembered as the year when Americans finally got fed up with pollution. For 350 years we have poured filth into every body of water that we control and into the air above. Now, voters are proving at the polls that they have had enough. And what's more, they are assuming—correctly—that it is technically and financially feasible to do something about pollution problems long considered insoluble.

Last month the Senate passed a water pollution control bill that will cost $6.4 billion over the next five years. The vote was 90–0 and there was hardly any debate. At the same time, a companion air pollution bill ($196 million over three years) was passed without a nay.

No people, even Americans, are literally consumers. We are users. We eat things, wear them, operate them or burn them. We change their form, then pour them into the air as smoke and fumes, or funnel them into sewers that lead to the rivers we are killing and the lakes that are becoming mammoth cesspools.

There might be some logic to the fouling of our environment if air and water somehow appeared from mystically pure sources, flowed past us once, and disappeared, to be replaced by fresh supplies. Alas, there is just so much air above the earth and water on its surface. We cannot create more—but can only find ways to use it more sensibly.

New Yorkers, during the drought of the past five years, became suddenly aware of the waste inherent in foul waters. While emergency drought regulations silenced many air conditioners, browned lawns to straw and banished water glasses from restaurant tables, the Hudson River was daily carrying 11 billion gallons of undrinkable, uncleanable water past the city and dumping it into the ocean. There was no real drought in New York last year. There was plenty of water but pollution had made it unusable.

We have always been able to find new sources of pure water, but those days are about over. Right now we use 400 billion gallons daily, 57% of all that is available. By the end of the century, we will be using 900 billion gallons a day—far more than the total supply. We will have to reuse all of our water, perhaps a dozen times over in major cities.

Air pollution is perhaps more dangerous than filthy water, if for no other reason than that it is not so obvious. With the classic exception of Los Angeles, where a fluke of climate makes the problem visible, most of the poisons we breathe cannot be seen. Los Angeles may get the attention, but New York City, on an area basis, actually pumps eight times as much junk into its air.

Some pollutants lead a double life, first fouling the air, then filtering into water systems and food crops. Donald E. Carr, in his book *Death of the Sweet Waters*, points out that six billion pounds of lead have been burned and spread over the country since lead alkyls were first added to gasoline as an anti-knock measure in 1923—and that the concentration of lead in the blood of Americans is 100 times normal. It should be remembered that lead compounds were favorite poisons of the ancient Romans.

The political muscle that is developing from the outrage over pollution has had scattered but notable success across the country. It helped elect William Scranton to the governorship of Pennsylvania, when he supported tough controls on strip mining operations that pour mine acids into the

state's streams. Detergent makers were forced to find new formulas when housewives found their tapwater running with a built-in foaming head.

New York voters last year supported by a four-to-one ratio (the largest margin ever on a spending measure) a referendum that would allow the state to spend $1.7 billion of their money to clean up the Hudson. Californians have pushed so hard for control of air pollution that the federal government has decided to use California standards for the mandatory smog-control devices that will be built into all American cars starting in 1968.

But while the states are reacting to the demands of their citizens with isolated pollution controls, they are not moving fast enough even to keep up with the yearly increase in pollution that we face.

On water pollution, the Senate measure is the only likely means for catching up—and eventually getting ahead of the problem of pollution. The bill does not suggest bypassing the states by offering federal money to do the bulk of the job. Instead, it would provide 30% of the cost of sewage treatment plants, with the states and local governments paying the rest. In a sense, the bill would jog the states into leadership by offering to pay 50% of construction costs when several states agree to work together with local agencies to clean up a river system that cuts across their boundaries.

The amount of money involved in the new bill—$6.4 billion spread over the next five years—is a measure not of pork barreling but of the size of the job that has to be done. Most estimates of the cost of cleaning up our streams and lakes—not to some idyllic level of purity that would allow us to drink from any of them, but simply to the point where the water will continually be usable by people or industry—come to over $40 billion. The Senate bill would put the federal government in readiness to do its share. But the money would not be spent until the states and local units agreed that theirs was really the major responsibility.

The air pollution bill matches many of the provisions of the water bill. Its price tag is lower—$196 million—but it also recognizes that the chief federal role is to stir local action, to provide a rational set of standards, and to ensure training and research in long-neglected fields.

It is unfortunate that the Senate bills did not include a provision suggested by many experts in the field—the so-called "Ruhr Plan." The heaviest concentration of industry and population in West Germany lies along the Ruhr River. Users of its water are allowed to dump refuse back into the river—but they are charged a stiff fee for each pound of pollution they add to the stream. As a result, the Ruhr's waters are almost pure enough to drink throughout the length of the industrial basin.

Many industries in America have long argued that they cannot afford effective pollution controls—and remain competitive. That view won't sit well with the American taxpayers who are now faced with the $40 billion bill for cleaning up past pollution. No businessman expects to get his plant buildings for nothing—or the raw materials that go into his product. Neither should he expect somebody else to clean up—or try and live with—the refuse of his manufacturing process.

The air and water pollution bills are expected to come to the floor of the House later this month. Despite their expense, they should be passed. There are rivers that can be saved if we act now, and lakes that could be made fit for swimming again—and for all of us, perhaps a few years added to our lives if the air we breathe can be made less poisonous.

Mr. MUSKIE. Mr. President, before concluding my remarks, I would like to correct one misconception created by the Life magazine editorial.

In referring to the pollution control program instituted on the Ruhr River in Germany the editorial states:

> Users of its water are allowed to dump refuse back into the river—but they are charged a stiff fee for each pound of pollution they add to the stream.

The Ruhr experience has all too often been confused, a confusion which has resulted in the "effluent charge" or "license to pollute" controversy.

In fact evidence developed during the natural resources mission to Germany, in which I participated, is to the contrary. There is no "license to pollute" the Ruhr River. The report to the President regarding that mission clarified this point and I would like to quote from that report:

> These fees are based on quantity and strength of the waste and are a means to defray the cost of cleaning waste, for the intention is that all wastes will be treated.

ORDER OF BUSINESS

Mr. CLARK. Mr. President, in a moment I shall suggest the absence of a quorum, but I would like to state for the benefit of the attachés on both sides of the aisle that this will be a live quorum, and that when a quorum is stated to be present by the Chair, I shall move to set aside temporarily the consideration of the defense appropriations bill until Monday next at 2 p.m.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 206 Leg.]

Aiken	Harris	Murphy
Allott	Hart	Muskie
Anderson	Hartke	Nelson
Bartlett	Hickenlooper	Neuberger
Bass	Holland	Pastore
Bayh	Hruska	Pearson
Bible	Inouye	Pell
Boggs	Jackson	Prouty
Byrd, Va.	Javits	Proxmire
Byrd, W. Va.	Jordan, N.C.	Randolph
Cannon	Jordan, Idaho	Ribicoff
Carlson	Kennedy, Mass.	Robertson
Case	Kennedy, N.Y.	Russell, S.C.
Church	Kuchel	Russell, Ga.
Clark	Lausche	Saltonstall
Cooper	Long, Mo.	Scott
Cotton	Long, La.	Simpson
Curtis	Magnuson	Smathers
Dirksen	McCarthy	Smith
Dodd	McClellan	Stennis
Dominick	McGee	Symington
Eastland	McGovern	Talmadge
Ellender	Miller	Thurmond
Ervin	Mondale	Tower
Fannin	Monroney	Tydings
Fong	Montoya	Williams, N.J.
Fulbright	Morse	Williams, Del.
Gore	Morton	Yarborough
Griffin	Moss	Young, N. Dak.
Gruening	Mundt	Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Montana [Mr. MANSFIELD] is absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from Montana [Mr. METCALF], the Senator from Alabama [Mr. SPARKMAN], the Senator from Maryland [Mr. BREWSTER] and the Senator from New Hampshire [Mr. McINTYRE] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent because of illness.

The PRESIDING OFFICER. The quorum is present.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1967

The Senate resumed the consideration of the bill (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes.

Mr. RUSSELL of Georgia. Mr. President, at the outset, I should like to make a very brief statement outlining the amounts of money that are involved in this bill as compared with previous appropriations.

This bill, H.R. 15941, for the fiscal year 1967, as reported to the Senate, provides for appropriations totaling $58,189,872,000. This is more than the budget estimate, but it is under the House bill by the sum of $426,573,000. It is likewise $668,131,000 under the total appropriations for the Department of Defense for the fiscal year 1966. For that year Congress appropriated the sum of $58,858,003,000 in the regular act and in two supplemental appropriations.

Predicated upon the assumption that the war in Vietnam will continue through June 30, 1967, this bill does not include funds incident to a continuation beyond that date. It provides funds for the pay of military and civilian personnel of the Army, Navy, Marine Corps, and Air Force, the operation and maintenance of the Defense Establishment, the procurement of ships, ammunition, aircraft, tracked vehicles, and other hardware, as well as research and development necessary to the continued progress of the department and to keep abreast of the development weapons systems that will assure the security of the country.

However, this bill does not include funds for military construction, civil defense, or military assistance to other nations except those expenses incurred in connection with military assistance in southeast Asia.

Furthermore, it does not include funds to provide for the recently enacted pay increases for military personnel.

This is the second largest appropriation for a single department of the Government that has ever been recommended by the Senate Appropriations Committee, with the exception of the appropriation for 1944, when the Congress passed an appropriation for the combined Army and Air Corps of slightly over $59 billion. It should be noted that the purchasing power of the dollar has decreased considerably since 1944.

I call this to the attention of the Senate, not because there is any satisfaction in presenting requests of this magnitude,

but because it spotlights three very important facts.

First, from the military standpoint, this bill emphasizes in dollar figures the determination of this country to provide a defense machine sufficient to maintain the national security and carry out our international commitments in these critical days of worldwide stress, strife, and chaos.

Politically, it will help serve notice on the forces of aggression throughout the world—and particularly at this time in Vietnam—that we are determined in our effort to help protect the rights of self-determination of the free world nations that desire to remain outside the Iron Curtain.

Economically, it calls attention to the tremendous impact which our defense expenditures have on the economic life of our Nation.

Each of these subjects is of major significance. But important as they are, I shall not discuss them in any detail today. Every Member of the Senate is well aware of their significance.

By organizational unit, as indicated in the committee report, the total recommended by the committee includes:

For the Army, $17,165,065,000.

For the Navy, $16,979,700,000.

For the Air Force, $20,774,900,000.

For the Defense agencies, $3,270,207,000.

With respect to the Army, the funds provided will support a yearend strength of 1,233,693 active duty personnel and 688,500 Reserve component personnel who have been assigned to Army Reserve and Army National Guard organizations.

Major Army forces will include 17 divisions, 5 armored cavalry regiments, 10 brigades, 1 missile command, and 7 Special Forces groups. The active inventory will include 9,298 aircraft, including both fixed wing and helicopters.

With respect to the Navy, the funds provided will support 1,006,057 active duty military personnel, of which number 727,873 are Navy personnel and 278,184 are Marine Corps personnel. The funds will also maintain 174,000 Naval and Marine Corps Reserve personnel in paid drill training.

I might say that the Navy plans to man 939 commissioned ships in the fleet. Of that number 415 are warships.

Also included are 27 carrier air groups, 32 patrol and warning squadrons, 4 Marine divisions, and 3 Marine air wings.

The Navy will have 8,315 aircraft in the active inventory.

With respect to the Air Force, the funds provided will support 853,359 active duty military personnel and 138,100 Air Force Reserve and Air National Guard personnel in paid drill training.

Planned major forces include 74 combat wings, including missile wings, and 121 combat support flying squadrons with an inventory of 13,785 active aircraft.

With respect to the Defense agencies, funds provided will support the operation and management activities of the Office of the Secretary of Defense, the Joint Chiefs of Staff, the Defense Intelligence Agency, the Defense Communications Agency, the Defense Supply Agency, the Defense Atomic Support Agency, the Defense Contract Audit Agency, and certain other activities. The pay of military personnel assigned to these agencies is included under personnel appropriations of the Army, Navy, Marine Corps, and Air Force.

Certain of the changes which the committee recommends will be of interest. The committee report covers all of the requests and changes. I shall limit myself to those which I think are most important.

First of all, you have no doubt noted that the bill is considerably under the amount allowed by the House. This is explained rather simply. The House included an increase of $569 million in the appropriations for the Army, Navy, Marine Corps, and Air Force military personnel in order to provide for anticipated augmentation of the military force strength. This amount was not budgeted and was not requested by the Department of Defense. Secretary McNamara testified at the hearings that he was not requesting these funds at this time.

Your committee, in its deliberations, recognized the probability of a further buildup in our Active Forces during the current fiscal year. This will undoubtedly require additional funds. But testimony indicated that the Department of Defense could not at this time give reliable estimates as to the exact amount of additional funds which will be required. The Secretary of Defense pointed out at the time he testified—I believe it was on August 1—that he had received three new estimates on Army strength requirements within the previous 72 hours.

Under such conditions, it was considered impossible to predict with any accuracy the financial needs for the remaining 11 months of the year. Furthermore, the Department assured the committee that there was adequate provision, under section 612 of this bill, to ultilize available funds and legal authority to support any necessary increase in strength.

The committee was further assured by the Secretary of Defense—and the committee wishes to assure the Senate and the Nation at large—that the reduction of these funds would in no way affect the national security or the state of preparedness of the Armed Forces.

In my opinion, there will be a requirement early in the next session to provide a substantial supplemental appropriation. We may hope at that time that a full and accurate presentation can be made of the additional requirements. I am aware that there have been occasions when Members of the Senate have been critical of supplementary requests for funds for a given year, and I have at times shared that view.

However, in this instance, due to the extraordinary conditions existing, since no firm figures can be provided at this time, and since adequate provision is made in the bill to cover all foreseeable contingencies, I find no reason for criticism of the committee action in eliminating this large amount appropriated by the House over and above the budget estimate. Indeed, I believe that most will agree that it was a logical and proper method of approach to the situation. For that reason, the committee recommends that the unbudgeted $569 million allowed by the House be passed over until a later date when more complete information will be available.

A second major consideration in the bill deals with the request of the Department of Defense to realine the Army Reserve components by merging all the existing paid drill units of the Army Reserve into the Army National Guard, for a force of 580,000 men. The committee has recommended concurrence in the House action rejecting this proposal. This is in accord with action taken by Congress on an identical proposal last year.

The committee has further recommended concurrence in the House action of establishing programed average strengths of 260,000 men in paid drill units in the Army Reserve, and 380,000 men in such units for the Army National Guard, for a total strength of 640,000 men. However, I call your attention to the fact that the actual funds recommended are adequate to support end strengths of 270,000 for the Reserve and 418,000 for the Army National Guard. At the present time, the Reserve is slightly under the average strength—by 9,000 personnel—and the strength of the National Guard is 41,000 over the programed average strength provided in the bill.

Of the combined June 30 strength of 672,000 of the Army Reserve and the Army National Guard, there were 133,000—about 20 percent—who had not received the basic training required by the Reserve Enlistment Program Act of 1963.

It is my hope that the Department of Defense will be able to correct this deficiency in the immediate future. The committee made its position on this matter perfectly clear, as will be found on page 9 of the committee report:

> The committee insists that the Secretary of Defense take all steps that are required to provide for adequate training of the Army Reserve component forces, including an expansion of training capacity if this is required.

An additional $700,000 has been recommended for the Naval Reserve, in order to maintain the surface officer personnel strength of this component at the same level as had been planned for fiscal year 1966.

In two appropriations, the committee has increased funds for the Air National Guard, in order to permit the retention of 25 airlift squadrons, of which 3 were scheduled for deactivation in fiscal year 1967. Most Members of the Senate are familiar with the role being played by these squadrons, and I am sure that the great majority will agree that the present is no time to deactivate any portion of this valuable asset. Consequently, the committee has recommended that language be included in the bill to assure the continuance of all 25 of these squadrons.

ARMY PROCUREMENT

The committee has recommended an appropriation of $3,483,300,000 for procurement of equipment and missiles for the Army. This is an increase over the budget requests of $172.2 million and is comprised of three actions. The first of

these is an increase of $153.5 million for preproduction activities for the Nike X antiballistic missile system. Funds for this purpose have been earmarked in the bill. The second is an increase of $19.9 million to provide the necessary funds to exercise options to procure OH-6A helicopters at favorable prices. The third action is a decrease in which the committee made a reduction which was related to a classified facility which was not authorized.

Turning to other changes made by the committee, I call attention to the increase of $153 million made by the committee for the construction of two gas-turbine-powered guided missile destroyers; $145.1 million of this amount was budgeted and authorized in the Department of Defense Research Authorization Act for two steam-powered guided-missile destroyers.

At the time the bill was under consideration in the House, it was believed that a desired change in the type of main propulsion system would occasion a slippage in the construction schedule. As a consequence, the House did not approve the request. Since that time, the Navy has renewed its request—this time for two gas turbine-powered destroyers—and has indicated that deferral of funding would delay the availability of the ships.

Your committee has approved the change of the propulsion system, and has provided the necessary funds—some $7,900,000 above the requested authorization—to build these advanced destroyers.

In another action, the committee recommends approval of the House action in providing $130.5 million for a nuclear guided missile frigate, and $20 million for advance procurement of long leadtime items for additional nuclear guided-missile frigates.

Mr. President, I think it would be well at this juncture to have printed in the RECORD a complete list of the ship construction and conversion program that is provided by this bill, and I ask unanimous consent that it be printed in the RECORD at this point.

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

Fiscal year 1967 shipbuilding and conversion program

Vessel Type

New construction

	Number of vessels
Attack aircraft carrier (nuclear) CVA(N)	1
Attack submarine (nuclear), SS(N)	5
Guided missile frigate (nuclear), DLG(N)	1
Guided missile destroyer (DDG)	2
Dock landing ship, LSD	1
Tank landing ship, LST	11
Escort ship, DE	10
Ocean minesweeper, MSO	5
Salvage tug, ATS	2
Replenishment fleet tanker, AOR	2
Combat store ship, AFS	1
Oceanographic research ship, AGOR	1
Surveying ship, AGS	2
Ammunition ship, AE	2
Fleet ocean tug, ATF	1
Submarine rescue vehicle, ASR	1
Total, new construction	48

Fiscal year 1967 shipbuilding and conversion program—Continued

Conversion

	Number of vessels
Guided missile frigate, DLG	5
Guided missile cruiser, CG	1
Destroyer, DD	5
Oiler, T-AO	2
Total, conversion	13

Mr. PASTORE. Mr. President, does the Senator care to be interrupted at all?

Mr. RUSSELL of Georgia. I would prefer to complete my statement, but if the Senator wishes to address a question to this specific point, I am happy to yield.

Mr. PASTORE. Bearing directly on this point, I think the RECORD should show very clearly that it was the consensus of the members of the committee that the Department of Defense should go forward with its nuclear frigates.

Mr. RUSSELL of Georgia. I do not know how it could be made clearer. We have appropriated for it 2 years in succession.

Mr. PASTORE. True; but as a matter of fact, in the past, the Defense Department has frozen funds when the Department did not agree with Congress. I think the RECORD should show very clearly at this point that all members of the committee agreed—and as far as I know, no one objected to it—that those funds were provided to build these frigates, and they should be built.

Mr. RUSSELL of Georgia. We stated that in the committee report for last year and repeated it this year in the following language:

> The committee's recommendation of funds for the construction of the two guided missile destroyers does not derogate from the importance which the committee places upon the construction of the nuclear powered guided missile frigate. In recommending the appropriation of $20 million for the procurement of long leadtime items in the Department of Defense appropriation bill, 1966, the committee stated in its report (S. Rept. 625, 89th Cong.):
>
> "The committee urges the Department of Defense to include funds in the budget for fiscal year 1967 for the construction of the nuclear powered guided missile frigate (DLGN). It is the view of the committee that we must proceed with the construction of more nuclear powered surface ships for the Navy."
>
> The committee has not changed its position on this matter.

That statement is included in the committee report.

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

Mr. RUSSELL of Georgia. I yield.

Mr. ANDERSON. Mr. President, I commend the Senator and the committee for the recommendation concerning nuclear-powered guided-missile frigates. There has been comment about this subject. The committee has taken the position that I took all the way through. I compliment the Senator.

Mr. RUSSELL of Georgia. I think the Senator, or at least some members of the committee, have had doubt about it, because there is a considerable spread between the cost of a ship of this kind powered by nuclear energy and by the other gas turbine.

We were persuaded in large part by the very vigorous advocacy of the distinguished Senator from Rhode Island [Mr. PASTORE].

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

Mr. RUSSELL of Georgia. I yield.

Mr. AIKEN. Mr. President, is it not a fact that one of the nuclear frigates carries twice the striking power of one of our gas turbine destroyers?

Mr. RUSSELL of Georgia. I think that is approximately the striking power. It is more than twice in one type of missile but not quite twice the striking power in another type.

Mr. AIKEN. Mr. President, the reason I asked the question is that I happened to be in Saigon on the 2d of December, which was the day that the Enterprise went into action in that area. Everybody was talking about the Enterprise running circles around the conventional powered Navy ships that we had there.

They wondered why in the world we considered building old-fashioned, conventional ships.

Mr. RUSSELL of Georgia. We are not building any more conventional carriers.

Mr. AIKEN. That is some progress. Do we have any assurance from the Secretary of Defense that he will not substitute these gas turbine destroyers?

Mr. RUSSELL of Georgia. No. He was asked that question and he said that he had directed that a study be made. He had not received the results of the study at that time, and he was not in a position to give us a commitment.

Mr. AIKEN. Mr. President, do I understand that it is the intent of the committee that the Secretary of Defense should not substitute these gas turbine destroyers in place of nuclear frigates?

Mr. RUSSELL of Georgia. I do not know how we could have made it clearer that we expect that these be built. Personally, I think we should build both.

I will be very frank with the Senator. We have not built a new escort ship of this size for some 6 or 8 years.

Mr. AIKEN. Then it is not the intent of Congress under the bill that the Defense Department should build the gas turbine destroyers and forget to build the nuclear frigates.

Mr. RUSSELL of Georgia. I just read the language which says that it is the view of the committee that we must proceed with the construction of more nuclear-powered surface ships for the Navy. That is in connection with this item.

Mr. AIKEN. I think that the Senator and the committee have done all that they could do to insure that the intent of Congress be carried out.

Mr. RUSSELL of Georgia. We have, indeed. The Senator is familiar with the difficulties we have had in the past with the Department of Defense, particularly with respect to manned bombers. We authorized and appropriated money year after year for this purpose, but they were never built.

I hope that in this case we will have much better luck.

Mr. AIKEN. If the Secretary of Defense does go ahead and builds the gas turbine destroyers and does not build the nuclear frigates, he would not be observing the intent of Congress.

Mr. RUSSELL of Georgia. I think that is perfectly clear, to a majority of Congress at any rate.

Mr. AIKEN. I thank the Senator.

AIR FORCE PROCUREMENT CHANGES

Mr. RUSSELL of Georgia. The committee has made several changes in the request for aircraft procurement of the Air Force, resulting in a net increase over the budget of $31 million. The House had added $55 million to maintain the production capability of the F–12 long-range interceptor aircraft. The committee has reduced the add-on to $30 million, it being understood that an increase of this order would be sufficient to accomplish the desired purpose.

In another action and pursuant to the authority granted in the authorization act, the committee recommends approval of the House addition of $16 million for the procurement of four CX–2 aeromedical transport aircraft. The introduction of these aircraft into the inventory will enlarge the capability of evacuation of Vietnam wounded.

Production slippages and configuration changes permit the reduction of $15 million in the A–7A ground-attack aircraft procurement without in any way jeopardizing the program. A description of all major aircraft programs for the three services will be found in the committee report.

RESEARCH AND DEVELOPMENT

As indicated above, almost $7 billion of this appropriation is recommended for research, development, test, and evaluation for the activities of the Department of Defense. For the Department of the Army, one item of importance is the recommendation of $431.4 million for research activities in connection with the development of the antiballistic missile system. This amount, which was allowed by the House, is $14.4 million above the budget and will provide for the acceleration of the Nike X system, for which preproduction funds have been included under the procurement appropriation.

Mr. President, it might be well to bear in mind that to date, Congress has made available, beginning in 1956, a total of $2.3 billion for the development of this system. This is a very vital weapons system. It is supposed to serve as a defense against the full spectrum of the intercontinental- and intermediate-range ballistic missiles that make possible a nuclear threat against the United States. The system includes a phased array of radars, data processing equipment, and an improved Nike-Zeus missile for long-range intercepts and the Sprint for short-range intercepts.

For the Department of the Navy, the committee recommends an increase of $10 million for certain high priority antisubmarine warfare programs.

Mr. President, I say in passing that this and the antimissile program are undoubtedly the two most important research items in all our weapons systems. It is the area in which we simply cannot afford to drag behind.

For the deep submergence program the committee has deemed the budget estimate of $21.5 million to be adequate. This is a reduction of $5 million from the House allowance.

For the Department of the Air Force, the committee recommends an increase of $50 million for the highly important manned orbiting laboratory. Failure to include these additional funds will, according to the Department, endanger the scheduled first manned flight late in 1969.

The committee also recommends approval of a House increase of $11.8 million for the advanced manned strategic aircraft program, ordinarily referred to as AMSAP.

It is believed that the total of $22.8 million provided for this program will enable the initiation of the contract definition phase of the follow-on bomber.

SPECIAL FOREIGN CURRENCY PROGRAM

One further funding matter should be mentioned. The Department requested authority to utilize for departmental needs excess foreign currencies generated abroad. It asked that this authority be granted without requesting a direct appropriation. However, the committee has approved the action of the House in recommending a direct appropriation of $7,348,000 for this activity.

The committee recommends that the Senate accept the House action. These funds will be paid into the Treasury in exchange for the dollar equivalents in the currencies of foreign countries and will be utilized for defense requirements. Authority for such transactions will be found in the newly created title V of the bill.

LANGUAGE PROVISIONS

The committee has recommended a number of language changes in the general provisions of the bill. These are all detailed in the report. Several of them, although new to the regular appropriations bill, have been approved previously in the Southeast Asia Supplemental Appropriation Act.

These include one provision—section 640 of the bill—related to the utilization of defense funds for the support of free world forces in Vietnam.

The budget includes $633 million for the support of allied forces—$590.8 million in this bill and $42.2 million in the military construction appropriations. Funds for these purposes were formerly carried in the military assistance appropriation.

I ask unanimous consent that a tabulation showing the distribution by appropriation of the funds for the free world forces be included in the RECORD at this point.

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

SUPPORT OF FREE WORLD FORCES

The budget estimates of the Department of Defense include $633 million ($590.8 million in this bill and $42.2 million in the Military Construction bill) for the support of "free world forces" in South Vietnam. Funds for these purposes were formerly carried in the Military Assistance Appropriation.

The $590.8 million in this bill is in the following appropriations:

Army:	
Military personnel	$6,800,000
Operation and maintenance	157,800,000
Procurement of equipment and missiles	236,300,000
Total, Army	400,400,000
Navy:	
Military personnel	600,000
Operation and maintenance	20,300,000
Shipbuilding and conversion	6,600,000
Other procurement	6,500,000
Total, Navy	34,000,000
Marine Corps:	
Operation and maintenance	100,000
Procurement	200,000
Total, Marine Corps	300,000
Air Force:	
Operation and maintenance	$39,200,000
Aircraft procurement	28,900,000
Missile procurement	5,800,000
Other procurement	81,500,000
Total, Air Force	155,400,000
Defense agencies: Operation and maintenance	700,000

Mr. RUSSELL of Georgia. Certain other language changes include a reinstitution of the per pupil limitation as contained in the law for fiscal year 1966; an increase in the limitation on the shipment of household effects; permission to purchase privately owned house trailers belonging to American personnel in France who would otherwise face undue financial hardship as a result of being transferred; the reintroduction of the limitation of 20 percent on indirect costs of research grants as previously enacted for fiscal year 1965 and prior years; and the continued inclusion of the prohibition on the establishment of a special training enlistment program.

Mr. President, this, in brief outline, describes this tremendous appropriation bill. It is in the nature of an insurance policy for our country and the troubled world. It provides the sinews of war and the things that are essential for the welfare of the very large forces that we have in southeast Asia.

Before I close, I wish to pay tribute to those members of our Armed Forces onto whose shoulders has fallen the heavy load of our struggle in southeast Asia. Their heroism, their self-sacrifice, their cool determination to see it through are an answer to those critics of democracy who allege that our youth have grown too soft to defend their heritage. I salute them. Their mothers and fathers, their sweethearts and wives can be proud of the part they are playing in this struggle of the free world against the forces of aggression.

Almost 200 years ago an American patriot said:

These are the times which try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country, but he that stands it now deserves the love and thanks of man and woman. Tyranny—is not easily

conquered, but the harder the conflict, the more glorious the triumph.

Recently I learned of a private citizen who, each week, goes to Andrews Air Force Base to meet the airplanes bringing back wounded personnel for treatment and convalescence at Walter Reed Army Hospital. After distributing little presents, he talks to these men. He said that without a single exception, all the men with whom he conversed expressed the burning desire to get well quickly, so that they could return to Vietnam to finish the job. Let this be our answer to Hanoi and Peking when they refuse to negotiate on any terms for an end of these cruel hostilities.

At this time I wish to thank the members of the Defense Appropriations Subcommittee for their fruitful efforts during the consideration of the bill. The 1,800 pages of testimony which are on the desk of each Member of the Senate bear witness to their diligence and sound deliberation. I also wish to thank the many representatives of the Department of Defense who have cooperated with the committee.

I have endeavored to cover the more important changes which the committee has made in the bill, and I hope that the Senate will see fit to adopt it.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, that the bill as thus amended be considered as original text, and that no points of order be considered waived.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

The amendments, agreed to en bloc, are as follows:

On page 2, line 10, after the word "elsewhere", to strike out "$6,429,400,000" and insert "$6,164,400,000".

On page 2, line 18, after the word "cadets", to strike out "$3,736,100,000" and insert "$3,652,100,000".

On page 3, line 2, after the word "elsewhere", to strike out "$1,214,200,000" and insert "$1,183,200,000".

On page 3, line 10, after the word "cadets", to strike out "$5,204,800,000" and insert "$5,015,800,000".

On page 4, line 5, after the word "law", to strike out "$111,900,000" and insert "$112,600,000".

On page 7, line 1, after the word "Government", to strike out "$5,132,200,000" and insert "$5,122,427,000".

On page 8, line 11, after the word "Government", to strike out "$3,982,900,000" and insert "$3,980,300,000".

On page 10, line 11, after the word "Government", to strike out "$4,948,600,000" and insert "$4,937,100,000".

On page 11, line 16, after the word "Goverment", to strike out "$808,100,000" and insert "$806,900,000".

On page 13, line 23, after the word "Guard", to insert a colon and "*Provided further*, That not less than twenty-five airlift squadrons shall be maintained during fiscal 1967".

On page 16, line 6, after the word "authorized", to strike out "$3,484,500,000" and insert "$3,483,300,000".

On page 17, line 8, after the word "amended", to strike out "$1,756,700,000" and insert "$1,909,700,000", and, in line 9, after the word "expended", to insert a comma and "of which $130,500,000 shall be available only for the construction of a nuclear powered guided missile frigate, and $20,000,000 shall be available only for the procurement of long lead-time items for an additional nuclear powered guided missile frigate".

On page 19, at the beginning of line 8, to strike out "$4,032,300,000" and insert "$3,992,300,000", and, in line 9, after the word "expended", to insert a comma and "of which $30,000,000 shall be available only for the procurement of, or maintaining a production capability for, the F–12 aircraft; and $16,000,000 shall be available only for the procurement of CX–2 (aeromedical transport) aircraft".

On page 22, line 18, after the word "law", to strike out "$1,753,600,000" and insert $1,758,600,000", and, in line 20, after the word "paragraph", to strike out "$26,500,000" and insert $21,500,000".

On page 23, line 6, after the word "law", to strike out "$3,062,600,000" and insert "$3,112,600,000", and, in line 10, after the word "program", to insert a comma and "and $200,000,000 shall be available only for the Manned Orbiting Laboratory (MOL) project".

On page 28, line 4, after the word "available", to strike out "(a) except as authorized by the Act of September 30, 1950 (20 U.S.C. 236 244), for primary and secondary schooling for minor dependents of military and civilian personnel of the Department of Defense residing on military or naval installations or stationed in foreign countries, as authorized for the Navy by section 7204 of title 10, United States Code, when the Secretary of the Department concerned finds that schools, if any, available in the locality, are unable to provide adequately for the education of such dependents;" and insert "(a) except as authorized by the Act of September 30, 1950 (20 U.S.C. 236–244), for primary and secondary schooling for minor dependents of military and civilian personnel of the Department of Defense residing on military or naval installations or stationed in foreign countries, as authorized for the Navy by section 7204 of title 10, United States Code, in amounts not exceeding an average of $455 per student, when the Secretary of the Department concerned finds that schools, if any, available in the locality, are unable to provide adequately for the education of such dependents: *Provided*, That notwithstanding any other provision of law the Secretary of Defense shall establish rates of compensation for teachers in the Overseas Dependents Schools System in accordance with the per pupil limitation established in this section;".

On page 29, line 23, after the word "ration", to insert a colon and "*Provided*, That milk purchased for enlisted personnel, and for midshipmen and cadets at the service academies shall be purchased at a fair market price."

On page 34, line 11, after the word "report", to strike out "monthly" and insert "quarterly".

On page 34, after line 12, to insert:

"(e) Section 3732 of the Revised Statutes (41 U.S.C. 11) is amended as follows:

"Designate the existing paragraph as '(a)' and add the following paragraph:

"'(b) The Secretary of Defense shall immediately advise the Committees on Appropriations of the Congress of the exercise of the authority granted in subsection (a) of this section, and shall report quarterly on the estimated obligations incurred pursuant to the authority granted in subsection (a) of this section.'"

On page 37, line 2, after the word "pounds", to strike out "for officers in pay grades O–7 through O–10; of twelve thousand pounds for officers in pay grade O–6; and eleven thousand pounds for all others.

On page 41, line 9, after the word "furnishings", to insert a comma and "house trailers (for the purpose of relieving unusual individual losses occasioned by the relocation of personnel from installations in France)".

On page 43, line 8, after the word "exceed", to strike out "$12,647,300" and insert "$11,746,000".

On page 45, after line 24, to strike out:

"SEC. 638. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project."

And, in lieu thereof, to insert:

"SEC. 638. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount for indirect expenses in connection with such project in excess of 20 per centum of the direct costs."

On page 47, after line 12, to insert a new section, as follows:

"SEC. 642. None of the funds provided in this Act shall be available for the expenses of the Special Training Enlistment Program (STEP)."

On page 47, at the beginning of line 16, to change the section number from "642" to "643".

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

Mr. RUSSELL of Georgia. Mr. President, I yield now to the distinguished Senator from Massachusetts who is the ranking minority member of the committee, and with whom I have worked since this committee was created.

Mr. SALTONSTALL. Mr. President, I thank the chairman of the committee for yielding to me.

The chairman of our committee, the distinguished Senator from Georgia, who has had long experience as chairman of the Committee on Armed Services and of Defense Appropriations, has developed in his remarks the actions in detail of our committee. He has been conscientious, as always, and well informed on the problems of our armed services. He has described the many different items that it was the responsibility of the committee to consider. I commend him for the work he has done and for the report that he has just completed. I believe that our committee has adequately provided for our forces for the next fiscal year insofar as we know their needs at the present time. I say this advisedly, because it is common knowledge that what may be required in Vietnam must be supplied in order that our services may carry forward their endeavors to end victoriously and satisfactorily the battles they are conducting in that country.

The budget proposals that the committee considered are over $59 billion, exclusive of the military assistance program, military construction, and civil defense, which are the subjects of other appropriation bills. Our recommendations are $525.5 million over the budget and $426.5 million under the House allowances, and $668.1 million under the fiscal year 1966 appropriations. These appropriations are based on the assumption that combat operations in southeast Asia will continue through June 30, 1967. In my opinion, the testimony clearly shows that there will be substantial additional requests in the supplemental bill. I agree with Congressman MAHON

that these may well amount to at least $10 billion.

Very briefly, this summarizes the overall appropriations that the committee has made. May I now briefly emphasize what I believe are the high spots of our endeavors. The most important one and the one to which the committee gave the most attention concerns the recommendations of the Defense Department that the Army Reserve and the National Guard be merged, with a strength of 580,000 men. As we did last year, we rejected this proposal and reported funds to maintain the status quo with a provision that these funds might be used if a merger of the Guard and the Reserves was established by legislation at a later date. We agreed with the House programing for an average strength of 260,000 for the Army Reserves and 380,000 for the Army National Guard.

The testimony clearly indicated that of the combined estimated strength of approximately 672,000 men on July 30, 1966, there were 133,000 Reserve enlistees—REP's—that had not received any training in fundamentals as required by the Reserve Enlistment Act of 1963. Secretary Vance in a letter to the committee stated that as many of these Reserves as possible would be trained after the necessary training was given to men who would be assigned to our Regular Forces. I emphasize that point, Mr. President, because Secretary Vance said that he would train these men as soon as possible, but would first train those who have to go into the Regular Forces.

Secretary McNamara has assured me personally, as I know he has also assured our chairman, that these untrained reservists, together with those who may be enlisted in the future, would receive training. In other words, in my opinion he has eliminated the proviso contained in Secretary Vance's letter of July 27 on page 3. He has also made clear to me that he would not recommend that these reservists be sent overseas. I am certain that my colleagues in the Senate will read carefully the language in the committee report on page 9 and note that our committee after full discussion felt strongly it was only fair that these reservists be put on the same basis for service in Vietnam as new enlistees and draftees. To make our position clear on this point the chairman of our committee, Senator RUSSELL, and I have filed an amendment to the bill—he asked me to be the cosponsor and I said that I would—that will enable the President at his discretion to order to active duty any member in the Ready Reserve of an armed force who has not served on active duty other than for training.

I wish to interpolate briefly to say that Joe Doakes on this side of the street and Joe Thomas on the other side of the street should be placed in the same category. Joe Doakes may be in the Reserves. The gentleman on the other side of the street is not. He is drafted and sent to Vietnam. The man in the Reserves may be eligible for training, and he has not been trained, and he does not go on active duty.

While it may or may not be desirable to call up Reserve or National Guard units as units, I believe that under proper considered direction, trained men from our Reserve units can be effectively merged into our regular forces. Only in this way, as the committee brought out in its report, can we put all our young men on the same basis and not permit one who enlists in the Reserves or National Guard to have an advantage over a man who is not in the Reserves but is called into active service or volunteers for active service.

A second substantial change in our committee recommendations concerns the elimination of $569 million provided by the House for additional strength in our Active Forces. This is an indefinite appropriation and is not based on statistical knowledge of the amount needed at the present time. The committee has been assured by Department of Defense witnesses that the exclusion of these additional funds will not affect our national security, nor will they ultimately result in a reduction in spending. But until we know the exact amounts required, and which amounts can well be included in a supplemental bill, our committee felt that they could be eliminated because there is sufficient authority contained in section 612 of the bill to permit the Department to cover any increases in strength until the supplemental appropriation bill is enacted. The same procedure was adopted by the committee in several other instances that involve less money.

Another highlight of our recommendations concerns the agreement with the House in adding $163.3 million for the preproduction activities for the Nike X antiballistic missile. But we made it clear that these funds were available only for this purpose.

It is obvious to all that the helicopters are an important element in Vietnam and so the committee added $19.9 million to procure additional Pawnee helicopters.

The House provided for the construction of a nuclear-powered guided-missile frigate, and $20 million for the procurement of long-leadtime items for an additional one. Our committee agreed with these provisions, but also added $153 million for the construction of two gas turbine-powered guided-missile destroyers which the House eliminated but which the Defense Department recommended. We know that aircraft carriers are carrying on a fundamental part of the war in Vietnam. They need to be protected and it is quite clear that additional destroyers are needed for the proper protection of these carriers. That was the basis of the committee's decision.

In order to maintain the production line of the F-12 long-range interceptor aircraft, we provided an additional $30 million, which was below the House provision but is considered sufficient to maintain this production line. This is the most important change that the committee has made in aircraft procurement. We believe, too, that we have made ample provision for the development of the F-111B aircraft. One model of this aircraft is now in production for the Air Force, but is still being researched for Navy use.

Our committee also provided an allowance of an additional $10 million to fund high priority antisubmarine warfare programs. One other important addition by the committee was to recommend an increase of $50 million over the budget request of $150 million for the manned orbiting laboratory. The information furnished to the committee indicated the immediate need for this amount to continue this program and the failure to provide these funds would endanger the scheduled first manned flight late in 1969.

In this statement, Mr. President, I have tried to point out what I believe are the important highlights included in this $59 billion bill for defense requirements that we have submitted. The committee was unanimous in its recommendations and, as I have stated, under the thoughtful and careful guidance of our chairman—both Armed Services and Appropriations—we have made these recommendations to the Senate which in our opinion will provide the necessary security for our country and for its operations efficiently in Vietnam and other parts of the world. I hope the committee's recommendations will be adopted.

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

Mr. SALTONSTALL. I yield.

Mr. PASTORE. I think we should be very careful that we do not leave the wrong impression with reference to the utilization of our Reserves in a selective way. I do not think that there is any universal purpose or desire on the part of the Reserves to avoid their individual responsibility. I believe that for the most part the reservists would like to share in the sacrifice and responsibility for guaranteeing the security of the country. It is only because of the policy of the administration that this is not happening.

The reason I point this out is that in giving the examples of Joe Doakes and Joe Thomas, we do not wish to create the impression that anyone is trying to avoid his responsibility.

Mr. SALTONSTALL. I thank the Senator from Rhode Island [Mr. PASTORE] who, in his usual manner has made very clear what I wanted to say.

The Senator will recall that this matter came up in the discussion by the committee and the examples which I gave came from the Senator from Rhode Island.

Of course, a great many of the men in the Reserves want to serve, but at the present time they are activated only as units.

Mr. RUSSELL of Georgia. Let me say that the amendment which the Senator from Massachusetts [Mr. SALTONSTALL] and I shall offer is not intended to asperse Reserves. They have been the backbone of our forces in two world wars; they contributed mightily to the Korean war; and they were called up for the "Berlin crisis."

Under the present system consideration is given only to calling up an entire unit in the Reserve components. That

causes a great deal of confusion, and you tend to pull everybody of a certain age from a community when you call up a unit. In addition, you create the impression that we are in very dire straits.

The amendment we shall offer would permit the callup of Reserves as individuals according to their MOS—military occupational specialty. I want to emphasize that this proposed amendment is applicable only to those Reserves who have not served on active duty other than for training.

There are many members of the Reserve who are perfectly willing to carry out their duty wherever their orders may send them. It is not their fault that they have not been called to active service.

Mr. CANNON. Mr. President, will the Senator yield on that point?

Mr. RUSSELL of Georgia. Yes, I yield on this subject.

Mr. CANNON. The proposed amendment does not specify in its language, that this callup could be made without consent of the reservists involved. Is it contemplated that this is adequate authority for the President without the language on consent. I think that previous legislation authorizing the callup of the Reserves spelled that out and made it clear.

Mr. RUSSELL of Georgia. I have no particular objection to having that in the amendment. It was included in the original draft and I struck it out because to me it was a contradiction in terms to say that a man in a military organization has to give his consent to respond to an order. When a man gets into a uniform, he must respond to any order, this says that the President may order any member in the Ready Reserve who has not served on active duty. I think that that is adequate. I have no objection to including the consent language. It was put in on previous occasions. I thought it unnecessary then, and I think it is unnecessary now. Any military organization—Reserve or otherwise—that is built on the idea of obtaining individual consent would collapse the first day in action. If you had to ask every man: "Are you ready to charge? Are you ready to fire? Are you ready to go to mess?" It would create a ludicrous situation.

I do not believe that that language, which says, "without its consent," either adds to or takes from the text, but if the Senator from Nevada would feel better about it, I would put it in the amendment.

Mr. CANNON. I thank the distinguished chairman for yielding to me, but I have no strong feeling on it. The language which was omitted here was carried previously. I wanted to make it clear that the authority granted in the amendment is adequate for the call to active duty of individual reserves without their consent. The explanation of the author of the amendment has made it clear that it is adequate.

Mr. RUSSELL of Georgia. I am glad to make that legislative history, and appreciate the assistance of the Senator from Nevada in doing that. However, it seems to me that it is somewhat of a reflection upon the Reserves to say "with their consent" when they are in the Reserves. When a man is in the armed services and he gets an order from his Commander in Chief, the President of the United States, it is not customary to ask this man for his consent. There is nothing in the Draft Act about asking a man's consent. He gets his notice, and he reports wherever they tell him to report. Certainly this concept should be even more applicable to a man already in the Ready Reserve of the Armed Forces.

Mr. CANNON. I thank the distinguished Senator for making that point clear.

Mr. McCLELLAN. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL of Georgia. I am glad to yield to the Senator from Arkansas.

Mr. McCLELLAN. I have in mind to make some brief remarks today regarding the matter that is at least directly related to this bill; but, I understand there is to be a motion to postpone the consideration of this measure. Therefore, at this time, I wish to ask some preliminary questions of the distinguished chairman of the committee as a basis for the remarks I shall make later when I have the floor in my own right.

If the motion should prevail to postpone consideration of this bill, I shall speak anyhow, because I had stated to the press that I would make some brief remarks on this subject today.

I should now like to ask unanimous consent that my remarks on my own time follow in the RECORD this colloquy between the distinguished Senator from Georgia [Mr. RUSSELL] and myself, so that there will be continuity.

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

Mr. McCLELLAN. Mr. President, first, I wish to commend the distinguished chairman, with whom it is my privilege to serve on the subcommittee, for the splendid explanation he has given us of this bill. I join him in the general sentiments which he has expressed. It seems to me that there has been a great deal of publicity regarding one item of procurement. I think there are funds in the bill for this item. It is pertaining to the item that I should like to ask the distinguished chairman, so that the record may be made, as to the amount of funds which can be used, having in mind, possibly, that I may offer an amendment with respect thereto, at the proper time, during consideration of the bill.

I ask the distinguished chairman: How much is included in the recommendations of the committee, as appear in the bill, for the various versions of the F-111 aircraft, formerly known as the TFX?

Mr. RUSSELL of Georgia. The Senator knows that the detailed breakdown is classified, but there is substantially more than $1 billion in the bill for the four versions of the TFX which are now in research, development, test, and evaluation.

Mr. McCLELLAN. There are four versions now?

Mr. RUSSELL of Georgia. Yes.

Mr. McCLELLAN. Originally there were only two, is that not correct?

Mr. RUSSELL of Georgia. That is correct, but the F-111A is the Air Force tactical fighter-bomber version. I think that is the furthest advanced. Then there is the RF-111A, the Air Force reconnaissance version, and the FB-111 which is the Air Force strategic bomber version, which was just brought in within the past 7 or 8 months, and the F111B which is the Navy version.

Mr. McCLELLAN. The Navy fighter version.

Mr. RUSSELL of Georgia. Yes.

Mr. McCLELLAN. Is the Senator prepared to advise the Senate how these funds are divided, as between research and development and procurement?

Mr. RUSSELL of Georgia. I think that most of those details are classified, but the principal procurement fund in the bill is for a substantial number of Air Force tactical fighter bombers.

Mr. McCLELLAN. The F-111A.

Mr. RUSSELL of Georgia. That is right. Some funds are included for the Navy's aircraft procurement program, but that is really for the continuation of the aircraft evaluation program.

Mr. McCLELLAN. That is for procuring and then for test and evaluation purposes; is that not correct?

Mr. RUSSELL of Georgia. They have already supplied four to the Navy for test and evaluation, and they are still endeavoring to develop one which will meet the Navy's requirements.

Mr. McCLELLAN. So far, they have not been able to do that.

Mr. RUSSELL of Georgia. The Navy has not actually put in any order for procurement, up to this time.

Mr. McCLELLAN. Then there is a relatively small sum included in the bill for procurement work leadtime items for the FB-111, but no funds for the——

Mr. RUSSELL of Georgia. That is the bomber. Yes, that is right.

Mr. McCLELLAN. There are no funds available for procurement of the F-111B.

Mr. RUSSELL of Georgia. No, other than for the four models that have been submitted.

Mr. McCLELLAN. Not specifically.

Mr. RUSSELL of Georgia. No.

Mr. McCLELLAN. But is there not in the bill the authority, which the Secretary may exercise, to transfer funds from one purpose to another?

Mr. RUSSELL of Georgia. Yes; if he wished to exercise to the full his transfer authority, he could procure some of the Navy versions.

Mr. McCLELLAN. He could procure them.

Mr. RUSSELL of Georgia. Yes.

Mr. McCLELLAN. Whether they measure up to standards or whether they meet the contract specifications?

Mr. RUSSELL of Georgia. Well, I assume that we would hesitate to transfer funds from a workable item to one that did not come up to standards. Let me answer the Senator by saying there are funds he can transfer and thus procure the Navy version.

Mr. McCLELLAN. So, if we wanted to be sure, from the standpoint of this appropriation, that funds could not be used for the procurement of the Navy version,

some provision in the bill would be appropriate and necessary for that purpose, I assume.

Mr. RUSSELL of Georgia. We could put a limitation on the appropriation which would prohibit it. I do not think, though, that it is necessary, because the Navy already has deferred a decision that they were going to make in December of this year until some time next spring, as to whether they will utilize the airplane at all.

Mr. McCLELLAN. I think that is true with respect to the Navy. I do not think they want the plane, and I can understand that they would not want it.

Mr. RUSSELL of Georgia. I have never been able to find any enthusiasm among any of the Navy officers for the Navy version.

Mr. McCLELLAN. That is right. I am quite confident that they would not accept the airplane. I do not think they want to procure it. But, I understand that, heretofore—and I think it goes without question—that they have been overruled. They were overruled in the beginning with respect to this airplane. They could be overruled again by the same source, and the plane could be procured despite their protests.

Mr. RUSSELL of Georgia. That is possible, under existing law.

Mr. McCLELLAN. That is possible.

Mr. RUSSELL of Georgia. It is a possibility. I do not think it is very probable, though.

Mr. McCLELLAN. As I recall it, when the development of this aircraft was announced in December of 1962, it was stated that the unit cost would run about $2.3 million per plane. Would the chairman of the subcommittee advise us as to the unit cost of the Air Force fighter version which is the one farthest advanced and for which funds are included in the bill?

Mr. RUSSELL of Georgia. I think the Air Force version is the only one on which any unit cost has been definitely fixed. Although that figure is classified, I shall be glad to give it to the distinguished Senator in secret. I will say for the RECORD that it substantially exceeds the figure of $2.3 million given previously.

Mr. McCLELLAN. The Senator from Georgia may say those figures are classified, but they have been published and republished in the press throughout the country. I do not want to violate anything that is classified——

Mr. RUSSELL of Georgia. The Senator is at liberty to state anything that has been published, but I do not want to put the imprimatur of the department's approval on anything that has been classified, except to say x dollars when it is classified; but it is substantially above the figure the Senator gave.

Mr. McCLELLAN. It has actually now more than doubled what it was represented to my committee it would be at the time we made inquiry. It has even passed 100 percent in increase. I should like to ask the distinguished chairman of the committee if there is any indication as to how much further that increase may go.

Mr. RUSSELL of Georgia. No. Every time we have gone into the matter, the number of planes we have been able to place in the inventory for the same appropriation has gone down, thereby indicating that the unit cost has gone up, at every hearing.

Mr. McCLELLAN. In order words, the cost has escalated while the number of planes to be procured has decreased?

Mr. RUSSELL of Georgia. I do not say both things have happened, but the number has come down every time that the appropriation has been the same.

Mr. McCLELLAN. Has there been any reason given to the Appropriations Committee why, notwithstanding the fact that we are in war and notwithstanding the fact that we have already lost more than 300 planes over North Vietnam alone, and in view of the estimated unit cost, we now propose to procure a smaller number of planes, instead of a greater number than were said to be needed some 4 years ago?

Mr. RUSSELL of Georgia. The cost has increased.

Mr. McCLELLAN. Is that the only reason?

Mr. RUSSELL of Georgia. Does the Senator mean——

Mr. McCLELLAN. Is that the only reason they have kept the number down?

Mr. RUSSELL of Georgia. The reason we do not have the plane in inventory is that we have not been able to remove all the "bugs."

Mr. McCLELLAN. I understand, but why do they say they are going to take fewer and fewer planes; for example, that the Navy is going to take only about 40 percent of the number it originally said were needed?

Mr. RUSSELL of Georgia. It is because the Navy has never been satisfied with the plane, and it has other planes which they think are much better for naval use, particularly with respect to landing on carriers and for maneuverability in the air.

Mr. McCLELLAN. The fact that the price may actually double or more the estimated cost would hardly be the only factor that would cause the Navy to scale down the procurement to 40 percent of its original professed requirements.

Mr. RUSSELL of Georgia. I just stated the Navy has never been enthusiastic about the plane and never believed it could be useful on carriers. Whether the plane will ever be or not, I do not know, but it has not been up to this time and the Navy has spent a great deal of money on it.

Mr. McCLELLAN. Does the Senator have information from reliable sources that the plane does not meet the Navy requirements and that it is deficient in meeting the design and structure requirements?

Mr. RUSSELL of Georgia. I would say that as of this date the Senator's statement is justified.

Mr. McCLELLAN. Notwithstanding the four models of the five arranged for or proposed to be secured for test evaluation purposes, and notwithstanding that four have been delivered, it is still in a stage where the Navy believes it is greatly deficient in meeting design and structure requirements?

Mr. RUSSELL of Georgia. The Navy stated it could not utilize the plane in its present configuration and size.

Mr. McCLELLAN. I thank the Senator from Georgia. With deference to my colleague from Pennsylvania [Mr. CLARK], who says he wishes to make a motion——

Mr. RUSSELL of Georgia. Mr. President, if the Senator will yield, I should like to put in the RECORD, as a part of my answer, a statement from the House report on the reason why the Navy has not procured planes of this type. It is gone into in detail at page 231 of the committee memorandum. The House committee announced:

> No funds are to be programed for the procurement of "hard tooling" or similar production equipment in fiscal year 1967 until ample notice and information supporting such action has been made available to the Committees on Appropriations of the House of Representatives and the Senate.

That is a statement from the House report.

Mr. McCLELLAN. In other words, they undertake, by statements in the report, to say that none of these planes are to be procured until a study can be made——

Mr. RUSSELL of Georgia. That is as to the Navy version.

Mr. McCLELLAN. I wished to have an explanation of this item in the RECORD since I understood the Senator from Pennsylvania desired to make a motion to defer consideration of this bill, and that he had arranged to be recognized by the Chair as soon as my colloquy with the Senator from Georgia had been concluded. I desired to make that colloquy a part of the RECORD while the Senator from Georgia had the floor.

Mr. McCLELLAN subsequently said: Mr. President, I appreciate very much the courtesies of the distinguished chairman, the Senator from Georgia [Mr. RUSSELL], in yielding to me while he had the floor so that I might make the RECORD with respect to the bill as it includes funds for the so-called F-111 series of airplanes which are now in the research and development stage, with prospects of being procured later and stocked in our arsenal of defense.

This weapons system and its procurement has been in controversy from its very inception. The controversy reached a serious stage at the time the Secretary of Defense overruled all the civilian and military experts in the Department of Defense who had worked as a team and served as a selection board for the different contestants for the different designs and proposals which were submitted by prospective contractors for the building of the planes. When that decision was made and announced, it appeared from reports and from known facts at the time that the Secretary of Defense had selected from the final two contestants, a plane whose design was inferior to that of the others, inferior, that is, as to its performance prospects, and also more costly than the other plane.

These two contestants, as we all know, were General Dynamics and the Boeing Corp. The General Dynamics

plane was selected, and the Boeing plane, according to all reports, was the superior plane. It had been four times recommended over all contestants, including the final submission of the design and proposal of General Dynamics.

Thereafter a series of hearings was held by the permanent Subcommittee on Investigations. Those hearings, because of the nature of the testimony that would be heard, involving national defense, particular characteristics of these weapons, and, in fact, because they were believed to involve in some respects national security, were held in executive session. Parts of that testimony have been released. Other parts of it, some of the critical parts of it, have never been released.

The hearings of the committee proceeded from, I believe, the 26th of February, 1963, until the 20th of November of that year. Two days after the last hearing was held a great tragedy occurred, the assassination of the President of the United States. Temporarily the hearings were suspended.

Thereafter an evaluation of the hearings and the status of them indicated that the hearings would not be conclusive and could not be conclusive with respect to all of the issues involved until there had been further proceedings and further progress had been made with respect to contracting for research and development, testing, and evaluation of the proposed plane.

For that reason, and for some others I could mention, we have suspended the hearings, subject to their being resumed at such time as it may seem appropriate and propitious to do so. That time will come. I am not prepared today to announce the time or the date, but that time will come.

I have made that statement recently to all who are concerned or interested or who inquired. But in recent days and during this interim there have appeared in the press from time to time articles regarding the progress that is being made with respect to the development of this plane. Recently, within the last several days, a large number of articles have appeared in the press which are highly critical of this plane, and which relate to information that presumably is classified, but which nevertheless is known to many of us as being substantially correct. Particularly is it known to me as chairman of the Permanent Subcommittee on Investigations that there is good reason for believing that many of the statements which have recently appeared in the press are true.

There will be further hearings at some appropriate time to develop the facts that should be developed with respect to the procurement of this weapons system.

I shall be restrained in my remarks as to predictions or as to personal criticisms with respect to this program and what we may anticipate will develop regarding it. But, Mr. President, the articles that have appeared in the press are disturbing, not just to me as chairman of the subcommittee that conducted the investigation, although, possibly by reason of that position, I am better informed with respect to the background and with respect to the facts pertaining to and associated with this program than most of my colleagues, and certainly more so than most of the citizens throughout this country.

So I cannot say that I am shocked at these disclosures. I may say that I would rather they had not been made, except for the fact, Mr. President, that if they are true they serve a worthwhile purpose. If they are true, they are information that the people of this country should have. If they are true, they are information that Congress needs in its deliberations as we from time to time appropriate billions of dollars, as we propose to do in the pending bill, for the defense of our country.

Mr. President, at this point I ask unanimous consent that a series of these articles be printed in the RECORD as a part of my remarks, at the conclusion of what I shall have to say.

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

(See exhibit 1.)

Mr. McCLELLAN. The first of the articles, Mr. President, that I ask be printed in the RECORD is an article in Aviation Week & Space Technology, in its issue of July 11, 1966, entitled "Variable Geometry of F-4 Proposed to Navy."

The second is an article that appeared in the Wall Street Journal of August 3, 1966, entitled "Touted TFX Too Fat To Fly for Navy Now—Savings Fade Away."

I shall have some comment to make about that article in a moment.

The third article is an article by the Associated Press. The copy of it I have appeared in the Washington Evening Star on Thursday, August 4. Its title is, "Delay in Building TFX Acceptable to Navy Creates Stir."

The fourth article is one that appeared in the St. Louis Post-Dispatch as an editorial in its issue of August 4, 1966, entitled "TFX Claimed Costing Far More Than Estimated—Navy Has Refused To Accept It So Far."

The fifth article which I shall insert in the RECORD, Mr. President, is an article in Barron's National Business & Financial Weekly, in its August 15 issue, entitled, "Point of No Return—TFX Program Has Gone From Scandal to Disaster."

The sixth article, Mr. President, is an editorial in the Memphis Commercial Appeal of August 8, 1966, entitled, "McNamara's TFX Folly."

The last article, Mr. President, which I shall insert in the RECORD today, is an editorial in the Seattle Times of August 5, entitled, "TFX, An Issue That Will Not Die."

Mr. President, these articles should be read by every Member of this body. They should be considered, Mr. President, and the truth or falsity of their contents should be explored and determined.

I may say, Mr. President, at this point, with respect to the contents of these articles, and particularly the two from which I shall quote, that if the contents of the articles are true, they are scandalous. If they are not true, then they are slanderous. I did not publish them. I am not the author of them. They are not my statements. They contain information that enterprising reporters have been able to obtain, information that would not be made available to me, possibly, if I asked for it; information that has been locked in a chamber of secrecy, much of it, up to this time. And I may say, Mr. President, that all during the interim that we have not been holding hearings, smoke of doubt and uncertainty has been emitting in very small streams, I may say—from the crevices in that wall of secrecy that has been maintained. Now, with these articles and the other information that is being published, that smoke is of doubt and distrust is billowing up to the point that it is attracting national attention.

Yes, Mr. President, I do not think we can ignore it. And if we find out that those responsible for reporting these articles have not reported the truth, or substantially the truth, then, of course, Mr. President, the purported facts or information contained therein should not influence us. We should relegate it to the trash can. But if it is true, Mr. President, we had better consider it, because it involves national defense, and could have an impact upon the security of our country, and the progress, and even perhaps to some degree the success, with which we may be able to prosecute the present war in Vietnam if it continues for a number of years, as many are now predicting it will.

So this is serious, Mr. President. Either there is great truth in what has been published, or it amounts to a slur—a slur upon the great Defense Department of the United States. I say that no Senator, no Member of Congress, can be indifferent to what is contained in these articles. I shall read some of it.

Mr. ERVIN. Mr. President, I wonder if the Senator will yield at this point, if he may do so without losing the floor.

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from North Carolina?

Mr. McCLELLAN. I yield for a question.

Mr. ERVIN. I ask unanimous consent that the Senator may yield for an observation without losing his right to the floor.

Mr. McCLELLAN. I yield for an observation, if I may do so without losing my right to the floor.

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

Mr. ERVIN. As a member of the Permanent Subcommittee on Investigations, I have been familiar for some time with some of the problems which the distinguished chairman of that subcommittee, the distinguished Senator from Arkansas [Mr. McCLELLAN] has encountered in the so-called TFX investigation. I have no desire at this time to express any opinion with respect to the merits of the evidence taken in that investigation.

I do wish to say, however, as a member of the permanent Subcommittee on Investigations, and as one interested in the defense of our Nation, that in my judgment the distinguished Senator from Arkansas merits the commendation of the country for the courageous and intelligent course he has pursued thus far as

chairman of the permanent Subcommittee on Investigations, and for his determination to proceed further with the inquiry and ascertain what the truth may be with respect to the matters which he has discussed.

Mr. McCLELLAN. Mr. President, I thank my distinguished colleague, who is a member of the committee.

Mr. President, the duties that it became our responsibility to perform in connection with the investigation conducted by the permanent subcommittee were not pleasant. I did not seek the opportunity to make this investigation.

Many times I wished that the cup might pass from me, even before the investigation started, and after it had begun, I sought to find a way to end the investigation honorably and at the same time to protect my country and to make sure that it was not being imposed upon.

I was unsuccessful in that effort. Thereafter, I had no alternative except to pursue with as much diligence and faithfulness as I possessed the unpleasant task that had fallen to the lot of the subcommittee to perform.

Mr. President, I am not going to read all of these articles, but I would like to call attention particularly to two of them.

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

Mr. McCLELLAN. I will be glad to yield for a question.

Mr. LAUSCHE. Article No. 5, published in Barron's on August 15, contains the statement:

> Barely 4 years ago, some future historian may recall, the TFX was supposed to cost $2.9 million per plane.

The article further states:

> Equally startling is the soaring price per plane. On current official estimates, 1,400 units at a cost of $11 billion works out to more than $7.8 million.

The cost jumped from $2.9 million to $7.8 million.

Mr. McCLELLAN. The Senator is correct. The article does state that.

Mr. LAUSCHE. The article states further:

> For what it is worth then, the average price for TFX aircraft of all types is likely to approach $9 million.

Mr. McCLELLAN. The Senator is correct.

Mr. LAUSCHE. The price jumped from $2.9 million at the beginning to $7.8 million in the middle of the project, and it is now up to $9 million at the end.

Mr. McCLELLAN. I state to my distinguished friend that I am not the author of those figures. However, I believe I can say without any reservation that, even though they constitute the rough judgment of someone, they are more accurate than was the rough judgment of the Secretary of Defense, who said it was going to cost $2.9 million per plane.

In making those estimates, he was estimating the cost so that he could give the contract to the highest bidder rather than to the lowest bidder and was saying that the lowest bidder's proposal was unrealistic.

Mr. LAUSCHE. Mr. President, I listened to the comments of the Senator from Arkansas when the investigation or hearing was being conducted. He at that time made statements doubting the correctness of what was being said.

Mr. McCLELLAN. I had good reason, I may say, to doubt some of the things that were represented to the committee, and subsequent events are now establishing the justification for that doubt.

Mr. President, in the Wall Street Journal article of August 3—and perhaps in one or two of the other articles—we find some comments that are quite interesting.

The article states:

> The billion dollars that the Defense Secretary McNamara claimed he would save by procuring essentially the same plane for different missions seems to be evaporating.

The article further states that the Air Force as of now anticipates excellent performance from its version, but the Navy version has bumped into troublesome, costly development difficulties. As a result, the Navy has scaled back its plane procurement from 350 to fewer than 150 planes.

As the distinguished chairman of the Committee on Appropriations told us a while ago, the truth is that the Navy does not want any of them and never did. This program is a shotgun wedding.

The Navy was unwilling. Its professional judgment was that, for the different missions of the two arms of the services, one plane would not do because their missions were different. They felt that what was needed for one mission would not effectively, would not successfully perform the mission of the other. I think the Navy was right.

The article further states that Chairman MAHON, of the House Appropriations Committee—who is chairman, by the way—expresses concern that Mr. McNamara's campaign may turn out to be a failure.

That is not my quote. I have not heard that the chairman of the House Appropriations Subcommittee has denied that statement since its publication.

The article further states that he projects the cost of research, development, procuring, and testing of 23 prototype production planes at $1,500 million, or $416 million more than the Air Force has estimated when the contract was awarded. However, prior to the time the contract was awarded, our committee was given an estimate of far less than that, an estimate which if the present estimate of the distinguished chairman of the House Appropriations Committee is correct, is more than double what we were told it would cost during the course of our hearings.

The article further states:

> Estimated production costs have jumped even a bigger percentage.

These are not my quotes. The article further states:

> The Navy version is 7 tons overweight, 12,000 feet below combat ceiling requirements, and 8,000 feet below the performance promised by General LeMay.

They have already made four of the prototypes. They have only one more to go, and that is how much it is now short according to this article.

The plane cannot loiter, it cannot meet loitering requirements at either station, a near station or a distant station, as required and as promised. Its single engine rate of climb is far below standard—very unsatisfactory, perhaps dangerously so. And neither its launch nor rest—landing—capabilities meet ordinary performance requirements.

The article indicates that Representative MINSHALL, a Republican of Ohio, a member of the House Appropriations Committee, said:

> Everyone we talked to in the Navy said they don't like this plane and do not want it.

Representative SIKES, of Florida, a member of the House Appropriations Committee, according to this article, said:

> The Navy is scared to say anything except that they hope to overcome the deficiencies. I'm afraid we're going to wind up with a second-rate plane. Sooner or later there's going to be a full-dress investigation.

This is another quote from the article:

> If spare engines, ground equipment and other extras are included, what had been conceived as a $7.1-billion program—

And they were included in that, I may say.

> for 1,704 aircraft is now unofficially pegged at possibly $11 billion for only 1,398 planes.

The cost goes up; the number of planes they want to buy goes down.

This would be a cost of nearly $8 million per plane, as against the original cost of $2.9 million, an increase of nearly 200 percent.

I have placed in the RECORD the Ben Price Associated Press article which appeared in the Washington Post on August 8, 1966, with the headline "Pentagon Confirms Skyrocketing F-111 Cost."

Well, I guess they confirmed to him, or he would not have published it. He knows. I am taking his word for it.

The article states:

> In its replies, the Pentagon said that the unit cost of the F-111A—

That is the one they hoped to buy; that is the Air Force version—

> is expected to be $5 million, while the unit cost of the F-111B Navy model is expected to be $8 million.

If I am correct, if I make a proper division and calculation, it will all, on an average, approach about $8 million.

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

Mr. McCLELLAN. I yield.

Mr. LAUSCHE. They approach $8 million. What was the original estimate?

Mr. McCLELLAN. According to this article, $2.9 million. I am using newspaper reports for the purpose of these remarks. I would not use them if I knew they were wrong, I may say to the Senator. McDonnell Aircraft Co. will shortly offer a variable wing Phantom, designed specifically for the Navy, that could become a competitor of the F-111B.

I do not say this unqualifiedly, but I am advised that the proposal will be that they convert that plane into a swept-wing plane comparable to the F–111B proposal and make it available possibly within a year's time or shortly thereafter. At the rate this situation is going, the Navy plane F–111B will not be available in a year's time. They have not yet made a selection. According to present reports, they do not even propose to make a decision as to whether they will take it or not, and they do not want to take it at all, until some time next year.

Mr. President, I shall read a little of this article that appeared in Barron's. In order to conserve time, and so that the RECORD may reflect what I am talking about, I ask that certain parts of the article be printed in the RECORD at this point.

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

POINT OF NO RETURN—THE TFX PROGRAM HAS GONE FROM SCANDAL TO DISASTER

(This account, like the earlier three-part series which it cites (Barron's, July 12, August 16 and 30, 1965), was written by J. Richard Elliott, Jr., of Barron's staff.)

"Fiscal 1966, which began inauspiciously on July 1 (1965), shapes up as a crucial year for the powers-that-be at the Pentagon." With that bit of understatement for openers, this magazine last summer launched a 15-000-word, three-part series of articles on the controversial F–111 fighter-bomber. Going back to its origins as the TFX, and to Defense Secretary Robert Strange McNamara's concept of "saving $1 billion" by making a single design serve the needs of both Air Force and Navy, Barron's traced the curious history of contractor evaluation and the subsequent research, development, test and evaluation program at General Dynamics as it had evolved to that point. The facts all seemed to point one way. The program, we concluded, had far exceeded its planned budget, and expenses bid fair to soar even higher, nullifying any hoped-for saving. What's more, the cost per plane was running "nearly 50% more than Mr. McNamara's famed 'cost-effectiveness' experts had forecast," partly because both services were cutting down on their planned procurement. Finally, we noted that the Navy model—even as it became less and less "identical" with the Air Force design in a frantic effort to make it work—had grown so overweight, and fallen so far short in a number of vital respects, that the admirals were thinking seriously of abandoning ship. "Fiscal 1966," we summed up, "is the year of decision."

Twelve months later it gives us scant pleasure to report that our findings erred, if at all, on the side of optimism. While the numbers involved are difficult to document (Congressmen complain of the Pentagon's "deliberate smokescreen"), the program appears to be running up a tab that ultimately will total $10 billion—compared with an original estimate of $5.8 billion, and last year's "official" figure of $7.8 billion. What's more, since only half as many planes are now planned, the cost per unit has risen even more sharply: from an original $2.9 million (and last year's estimated $4.9 million), the average price tag will run to well over $8 million apiece. For its money, the Pentagon is getting what Mr. McNamara calls a "weapons system some said could never be made," and one that all reports indicate never should have been.

Out of his bi-service fighter-bomber, the Secretary proposes to build not two but four different airplanes; added to the Air Force and Navy tactical fighters are a reconnaissance model and the long-range bomber version with which the Strategic Air Command will replace its aging B–52s. All three of the major aspects of the program—not simply the Navy's fast-fading F–111B, but the air arm's allegedly "satisfactory" F–111A and FB–111 as well—are flying on a disaster course. They weigh too much, and they are burdened by aerodynamic drag and other so far insoluble drawbacks. Indeed, according to confidential reports, they not only fail to meet specifications but also will be no match for Communist MIGs already flying in combat. As we said a year ago, in short, what's good for General Dynamics may not be so good for the country.

Barely four years ago, some future historian may recall, the TFX was supposed to cost $2.9 million per plane. The two services, between them, were prepared to buy 1,700. When the contract finally was awarded, General Dynamics proposed to develop and build the 1,700 F–111s for a total price of $5.8 billion—roughly $3.4 million apiece. When the fiscal 1966 budget was submitted to Congress, the TFX project called for just 1,600 aircraft—at a program cost of $7.8 billion, or $4.9 million each. Early this year Congress was told that each TFX would weigh in (and, as will be seen, that's precisely the word) at roughly $5.9 million.

Since then two things have happened: the number of aircraft scheduled has dropped sharply, while the cost per unit has soared. On the first count, officially, the quantity now in the overall program is down to 1,400 (unofficially, it is reliably said to be less than 1,000, a net reduction of 40% in the past 12 months).

As nearly as one can figure, the 1,400 planes—on which Congress will be asked, early next year, to consider the defense budget requests for fiscal 1968 (when the first of the operational F–111s is due in service)—breaks down roughly as follows. Foreign orders (British, Australian): 74, compared to an originally planned 134. U.S. Navy F–111Bs: 350, against 500 planned a year ago and 592 programmed in mid-1963. U.S. Air Force FB–111s (275), F–111As and RF–111s (700): or 975, against a total Air Force buy of 1,100 a year ago and no fewer than 1,460 originally. Cost of the total program: an estimated $11 billion.

Equally startling is the soaring price per plane. On current official estimates, 1,400 units at $11 billion works out to more than $7.8 million apiece—a far cry from the $5.9 million figure recently given to Congress, to say nothing of the original estimate. That's real escalation. Nonetheless, the figure promises to fall short of the final cost per unit. From sources too highly placed and numerous to discount, Barron's has learned that the Navy plans to whittle down its part of the package once more, from 350 planes to 150, and that the Air Force will cut back from 700 F–111As to 500. All told, fewer than 1,000 will be built.

For what it's worth, then, the average price for TFX aircraft of all types is likely to approach $9 million—indeed far more than the U.S. has ever paid for a mass-produced combat plane. There's one thing more, which even the experts can't put a figure on until the planes go operational. Estimates of maintenance time required for the TFX, and guaranteed by General Dynamics in its contract (subject to penalties), recently became public. In a comparable strike bomber, the Navy's A–7, required maintenance time runs to 11.5 hours per hour of flight: for the hulking C–5A now under development by Lockheed, it's roughly 19 hours per flight-hour. The TFX? 29.86 maintenance hours for the F–111B, 35 maintenance hours for the F–111A, required after every hour in the air. Once it gets off the ground, in short, the most expensive plane ever built will have only begun its assault on Mr. McNamara's budget and the taxpayer's pocket.

So much for cost savings. After all, there's a war on. If the plane lived up to its advance notices, few would begrudge the cost. However—and this is what lies behind the steady erosion in the services' demand—mounting evidence suggests that far more is at stake than money. The Navy plane, the Air Force's TAC model and particularly its SAC bomber are simply not good enough.

* * * * *

MANIFEST UNHAPPINESS

By the end of the year, the Navy will have test-flown both the fourth and fifth models. But the service's unhappiness is manifest Even Navy Secretary Nitze, a Pentagon veteran, admitted to a Congressman: "I think the contractor slipped up." Asked if the Navy would have rejected the TFX had it known how overweight the plane would get, Mr. Nitze replied, in House subcommittee testimony, "I think that is correct."

Overweight—which affects a plane's range, speed, acceleration, maneuverability, fuel consumption and weapons-carrying capacity—means still another headache for the Navy: carrier capability. The Fleet has spent nearly $200 million to strengthen decks, catapults and landing cables for planes as hefty as the F–111B; the A–7, for one, with its on-the-deck speed, is no lightweight, either. But the TFX presents another problem for carriers; when it's fully loaded, their elevators can't carry it.

According to ranking Navy experts, speaking off the record, most of the carriers now commissioned and under construction will not be able to take the plane from the hangar deck up to the flight deck at anything over 70,000 pounds. The Navy has been advised by armchair admirals at the Pentagon to bring it up empty, then load it with fuel and weapons on the flight deck. To this, a grizzled spokesman replies: "Of course that's possible, but hardly desirable in combat. With all the plan's other shortcomings, it's too much of a price to pay."

In Navy terms, other shortfalls attributable to weight—or to a combination of overweight and inadequate design—lurk in required loitering time, altitude and landing speed. The F–111B will need a "wind-over-the-deck" (WOD speed, into which to land, of at least 35 m.p.h. Since most carriers can steam as fast as that, they can generate such a speed merely by heading into whatever wind may be blowing. However, such restrictions seem beyond tolerable limits. "Sure you can do it," a veteran officer says. "But in the middle of a battle, it would be nice to know you could pick up your planes no matter which way you happened to be headed, and it might well be preferable not to force the captain to go somewhere he'd rather not."

RANGE AND ALTITUDE

The other technical drawbacks look equally perilous. A squadron of F–111Bs aboard a carrier would have as its primary mission the protection of its fleet, by standing aerial guard, several hundred miles away, for several hours, to detect and intercept attacking planes. The F–111b, tests have shown, cannot reach maximum time—because its weight prevents it from carrying the necessary fuel. As for altitude limits, in the case of a dogfight, the third-model of the plane has failed by 12,000 feet to reach the minimum specified height of 60,000 feet—and, in fact, even higher altitudes are known to be required to deal with enemy aircraft on equal terms.

Will the SWIP and SCRAPE models do better? "How much higher, farther and faster a 75,000-pound plane go than a 78,-000-pound one?" asks a top Naval aviation veteran. Worst of all, the special air-to-air missile designed to give necessary punch to

the F-111B, Hughes Aircraft's heavy-powered Phoenix, may yet have to be jettisoned to lighten the load. The smaller Sidewinder missile of today's "generation" (none too overpowering in Vietnam, as it's turned out) would be an unhappy second choice.

VICTORY FOR AIRPOWER?

Navy's disenchantment over the TFX is a matter of longstanding record. Less generally appreciated is the failure of the F-111 in its primary role, as a tactical fighter-bomber for the Air Force. A clear-eyed view of the TFX as a ground based tactical aircraft came recently from Gen. Wallace M. Greene, Jr., Commandant of the Marine Corps. Marine procurements originally were to have made the F-111 a "tri-service" plane. Uncharacteristically, the leathernecks backed away from the challenge. Gen. Greene told a House subcommittee that his aviation aides found the F-111 to be "no improvement" over the Marines' present F-4s, particularly in "air-to-ground attack capability . . . therefore . . . undesirable for Marine Corps use."

To be sure, the Marine Commandant was aiming specifically at the Navy's version. However, the Air Force model suffers from similar technical woes. Overweight is a case in point. Weight is the single most vital factor in any airplane, especially a military fighter. Where the Navy plane, after its SWIP diet, now weighs in at a relatively svelte 75,000 pounds at gross take-off configuration, the Air Force model is up to some 90,000.

The problem, which traces to much flabbier production controls on the part of Air Force management, also has been a well-guarded secret. It means that the F-111A cannot yet fly supersonically "on the deck"—that, at radar-avoiding, tactical-strike altitude of 200 feet—and that it has been unable to reach required speed of Mach 2.5 at peak altitude. Moreover, the highest the plane has been able to go, after well over 1,000 hours of test-flights, is some 60,000 feet, 25%-50% short of requirements.

As recently as last May, the service put the eighth of its General Dynamics F-111A models through an exhaustive series of tests, under all but total security wraps, at Eglin Air Force Base, in Florida. Memoranda circulating in the Pentagon since then have made clear to the top brass that the plane is no match for the Communist MIG-21. At speeds of Mach 2.2 it has violent compressor stalls: the engines suddenly lose power. Carrying its full complement of conventional weapons, according to one observer, "it is so difficult to maneuver that it took half the state to bank into a complete turn." In quick maneuvers, horizontally or vertically—under conditions as near to actual combat as the Eglin experts could simulate—the plane's inability to accelerate fast enough left it "virtually incapable of defending itself in a dogfight with modern enemy aircraft."

BASIC DRAWBACK

What's more, Air Force, Navy and even NASA tests all have verified the plane's basic drawback. Simply put, the F-111A, in aerodynamic lingo, is 35 "counts" high in drag—or 35% "draggier" than it should be. Weight, of course, makes drag harder to overcome but a plane at any weight is supposed to be designed to travel at zero drag. When "dragginess" is extreme, the reason usually lies in some aspect of the configuration, where an outer appurtenance, or some inner one, (in the jet chambers) interferes with air-flow and slows the aircraft, in effect, by causing either turbulence or friction.

According to authorities assigned to the TFX, the program has been shot through with drag. A major source of concern to Navy engineers, it has been shrugged off by Air Force experts, is the belief that improved engine performance will overcome the problem. "All along, they have just refused to recognize the facts," says one observer. "Yet they know that if the drag 'counts' which the tests have shown are right, they don't have the aircraft they claim." Simply put, 35% too much drag means a plane has 35% less range on the same fuel than its design calls for, and is deficient in both acceleration and maneuverability.

A Navy official adds bitterly: "Out at Wright-Patterson they were frankly flabbergasted when they 'discovered' the drag factor meant a 35% loss of range. The Navy would have stopped production right there. But this is an Air Force program. Meeting production quotas is more important than going for design perfection. They like to think such problems will work themselves out."

SOURCES OF DRAG

Like an insubordinate rookie, however, the difficulty has refused to respond. Investigators for months have probed three areas in the design which seem the likeliest source of drag. One is internal air flow. Because of errors in the design for airframe mounting of the engine installation, the lining of stable air called "boundary layer" may be stirred up by an erratically directed jet-stream. A year ago, sensing some such difficulty (though not admitting it publicly), the Air Force ordered General Dynamics to install so-called splitter plates, to deflect the stream from the interior surface. This maneuver hasn't helped.

A second possibility, it's said, lies in the tail assembly—the part of the overall TFX contract assigned to Grumman (but designed by General Dynamics). In the twin-jet F-111, two special rear ducts must be wide open when the afterburner is on—during acceleration, takeoffs and the like—but must be closed tightly when such added thrust is not flowing. If they are open, air can enter (in a forward direction) from the outside, acting as a brake. Here, too, countless hours of testing, redesign and computer calculations have proved unable to effect any change.

Third, and least likely, of the possibilities under scrutiny is that drag may be caused by air entering the open areas along the lateral surfaces of the fuselage—where, in order for the swing-wings to pivot, some unstreamlined divot always presents itself to the outer airstream. Voluminous wind tunnel data don't show turbulence here, but that proves nothing. However, there's no way to plug the gaps, without upsetting the delicate functioning of the wing pivots.

* * * * *

Last Christmas, the Defense Secretary abruptly changed his strategy. Yes, he admitted in effect, some sort of manned bomber ought to be kept on hand at SAC bases to insure "flexible response." But the McNamara plan was a political and military bombshell. He proposed to scrap all 80 B-58s and 350 of the oldest B-52s between 1969 and 1971. Then, added to the 250 remaining and highly advanced B-52 G or H models (the latter boasting a range of 12,500 miles, and both capable of flying at roughly Mach 1) would be 210—since upped to 275—FB-111s. Instead of developing a full-fledged new bomber, said the Secretary, transformation of the TFX into a new stratofortress would save the country yet another half-billion dollars.

Mr. McCLELLAN. These articles and the information they contain raise questions. Some of these questions—many of them—have already been in the thoughts and in the minds of the members of the permanent Subcommittee on Investigations. But these questions now come to mind with emphasis by reason of the contents of these articles, particularly the two to which I have referred, one of which I quoted, and excerpts from the article have been placed in the RECORD.

These are just a few of the questions that arise—not all the questions that ought to be answered, not only to me, but also to the whole country. This matter does not just involve Congress. We have a primary and immediate responsibility. But these are questions to which the people of this Nation are entitled to have answers.

The first question: Where is the billion dollars in savings—or any part of it—that was to be achieved by the forced "commonality" in structure of the two planes?

Mr. President, that was where the savings were to come from. We will use the same parts, the same design—80 percent, they claimed—and thus we will effect a billion-dollar saving.

The second question: Has the Secretary's famed cost-effectiveness operation come to be synonymous with "spend more to get less" instead of "spend less and get more," as was claimed for this "commonality" program?

That question ought to be weighed seriously. Not only are we spending the taxpayers' money; we are dealing with the security of the United States.

The third question: Four years ago, when Secretary McNamara four times overruled the competent judgment and recommendations of our best professional military and civilian experts—approximately 235 of them—and selected the second best design and proposal which was submitted by General Dynamics over the design and proposal submitted by the Boeing Co.—which was the best, and which documents in my possession clearly indicate, if they do not state emphatically, that at the time the decision was made, it was acknowledged by the Secretary of Defense that the Boeing plane was a superior plane in performance——

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

Mr. McCLELLAN. I yield.

Mr. MUNDT. The Senator should also add that the contract proposed by Boeing would have resulted in a substantially lower cost to the taxpayers.

Mr. McCLELLAN. Yes; the Boeing Co. not only offered the best plane in performance, but also offered to produce it at a lower cost.

At that time, it was claimed by the Department of Defense that we would need more than 1,700 of these planes. That is according to the newspaper accounts. Of course, I have information from other sources, but let us base the information on the newspaper accounts, which is what the people are reading today.

It was claimed that we would need more than 1,700 of these planes. Now we are in a war which apparently may be of long duration. How long? Who knows? The experts are talking about a long war. But since we became engaged in that war, we have already lost more than 300 planes over North Vietnam alone. I have forgotten, for the moment, who it was that showed me an article in one of today's newspapers, stating that during the

past year we have lost more than 500 planes.

Am I right? Someone showed me that article.

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

The PRESIDING OFFICER. (Mr. MONTOYA in the chair). Does the Senator yield?

Mr. McCLELLAN. I yield.

Mr. HARRIS. The Senator from Nebraska [Mr. HRUSKA] showed the Senator that article and it did show more than 500 planes lost.

Mr. McCLELLAN. Maybe 580 planes lost in the past year, but 300 planes over North Vietnam alone.

In view of that, why is the Department of Defense scaling down its requirements and buying a much smaller number—maybe less than 1,000 of these planes—according to these reports? Why? It surely cannot be said that our arsenal is adequate or that the need is now less urgent than it was when the program was inaugurated.

We are now at war. We were not then at war. We are now losing planes daily. We were not then. How has the need diminished? How has the need diminished from the standpoint of the Department of Defense while the needs of battle have increased? The needs of combat are greater today for this plane, if they are any good, than they were 3 or 4 years ago when the program was inaugurated.

Is this reduction in acquisition being made because it must be conceded that the plane is inferior—that it does not and cannot measure up to exaggerated claims that were originally made for it? Or is it because 1,000 planes or even a lesser number will cost so much more than it was represented that the original number of 1,700 planes would cost? Or can it possibly be because of both of these factors?

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

Mr. McCLELLAN. I yield.

Mr. LAUSCHE. The original estimate was that we needed 1,700 planes.

Mr. McCLELLAN. According to press reports—I would keep it that way—1,704.

Mr. LAUSCHE. And what has it been reduced to now?

Mr. McCLELLAN. This is according to press reports. I shall not say it. These articles are either scandalous or slanderous, and the country is entitled to know. I have some general idea as to what the correct answer is.

Mr. LAUSCHE. The number has been reduced from 1,704?

Mr. McCLELLAN. It is below 1,000 according to some of these reports, and the Navy planes from 350 to below 150.

I am posing these questions because the country needs to know. Somehow, the press is able to get these things. I assume that they are accurate. If the press can get them and publish them, they give concern to the people of this Nation and the people are entitled to know the truth.

Number 4: Just how much will these planes cost per unit?

Was the $2.9 million per unit price tag estimate placed on it by the Secretary of Defense so inaccurate and unrealistic that the total cost of the plane will prove to be more than double that amount—anywhere from $6 million to $9 million per unit, as per these newspaper articles? Will it? The country is entitled to know, Mr. President. This Congress is not only entitled to know, but it has a duty to examine into this program and see if it is chock full of waste and extravagance and whether we are getting a superior weapon or an inferior weapon.

How much are the planes, both Air Force and Navy models, overweight, and why? According to these articles—and let me say for a moment, Mr. President, from unofficial sources—both of these planes are much overweight. The Air Force can use its plane but the Navy, because of the necessity of adapting it to the only place where Navy planes can land to be of use in combat, makes overweight prohibitive if the plane is to be able to land safely, takeoff safely, and to perform its mission.

Can this overweight be corrected without an intolerable sacrifice of performance and effectiveness? These are questions to which we are entitled to have answers.

To what extent is each model now deficient in speed, rate of climb, range, altitude, takeoff and landing safety, and combat maneuverability?

What is the true drag factor in each plane and the detrimental effect thereof? According to one of these articles the drag factor, even in the Air Force planes, is 35 percent. I am not a technician, but 35 percent I assume, would mean that that would permit the plane to fly only about two-thirds as fast and as far if the drag factor were not present. We need to know about this.

How much is really being sacrificed in performance and weaponry effectiveness in order to meet the questionable requirements of commonality? I use the word "questionable" modestly, because that is the most modest adjective that one could use to describe this commonality requirement.

How can we possibly justify the sacrificing of weaponry and combat effectiveness simply to achieve the dubious goal of commonality?

We are getting a weapon, Mr. President. What shall we have gained if we achieve commonality and then have no effective weapon? What kind of folly would it be?

We are pursuing it now, and trying to get research and development, according to these articles. The Secretary of the Navy said, "we must make it work."

(At this point, Mr. JORDAN of Idaho assumed the chair.)

Mr. McCLELLAN. Why? Why? If a weapon will not work, why must we try to make it work, if there is another alternative? Why do we make such a statement? The answer is not that there is no other weapon available, or that a better one may not be obtained and probably in less time and at less cost. I am no expert. I am talking on the basis of what the press reports.

Let me ask this question: Are we to end up in this program with not only fewer planes than were needed before the Vietnam war began, but also with planes which are incapable of achieving the performance requirements set by the Department of Defense?

Mr. President, it is time for Congress to begin to exercise some judgment and make certain that it is not making an appropriation in the bill which can be transferred from the purpose for which it is earmarked to the procurement of a plane the design of which and the testing of which, after four models, has proved to be completely unsatisfactory, and when only one other model has been contracted for.

If the press reports are correct, I dare say that the tremendous deficiencies embodied in the fourth model cannot possibly be corrected by a fifth. It will take more than one effort, in my judgment.

Thus, I ask one more question: Is the vaunted "rough judgment"—and I use those words because the Secretary of Defense said, when he overruled the military and civilian experts who had been assigned the task of evaluating and recommending as between the contesting designs submitted by the contractors who sought to build the plane, that the Comptroller General could get the figures upon which he based his judgment when he said that the cost figures of the lowest bidder—the Boeing Co.—were not realistic, and when he gave his own estimate and we sent the Comptroller General there to get the figures to ascertain how they were arrived at and to evaluate them. The answer was:

> I do not have the figures, just rough judgment.

Thus, the "rough judgment."

Is the vaunted "rough judgment" computer claim of a billion dollar savings proving to be, instead, just a reckless $5 billion blunder?

Every Senator should be interested in the answers to these questions.

The committee has asked the assistance of the Comptroller General. Yesterday, I wrote him, setting forth the information which the committee would like to have with respect to the cost of the plane, whether the research and development contract had been complied with, and whether a contract has now been made for the procurement of the planes, and would he get us that information.

Let me say to you, Mr. President, that this is a stupendous task when we go to the biggest and most costly Air Force weapons system this Government has ever undertaken and try to analyze it with the multiple thousands of documents and details which have to be looked into with the normal staff—and we have a very good staff—on the Senate Permanent Investigating Subcommittee, they find it so burdensome and so difficult that it needs assistance. We called upon an arm of Congress to give us that assistance. I sent that letter yesterday by messenger and, at the same time, I sent a copy to the Secretary of Defense.

Mr. President, I ask unanimous consent to have this letter printed in the RECORD.

The PRESIDING OFFICER (Mr. MONDALE in the chair). Is there objection?

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

AUGUST 15, 1966.

THE COMPTROLLER GENERAL OF THE UNITED STATES.

MY DEAR MR. COMPTROLLER GENERAL: In view of current developments in connection with the Department of Defense F-111 aircraft program and the record of previous hearings by this Subcommittee, a further examination into the status and accomplishments of this program is particularly appropriate at this time. It now appears that (1) the research and development contract is nearing completion, (2) we understand the production contract has been negotiated, and (3) development of a bomber version of the F-111 is being undertaken.

In order that the Subcommittee may be fully informed about this program, we would like the assistance of the General Accounting Office in ascertaining and securing for the Subcommittee full and accurate information of the following matters:

1. Current and estimated total costs of the development and production contracts, timeliness and adequacy of the negotiations of the prime contracts, selected major subcontracts and contract changes. Also, propriety and consistency with contract terms of (1) profits paid or accrued, and (2) payments made and penalties imposed under the contract performance incentive provisons. Current indicated costs for the research and development and production contracts should be compared with the original estimates when the program was approved and the reasons for any major changes in cost should be determined. With respect to contracts costs, the prime contractor's accounting controls and procedures should be examined for adequacy to assure that each contract bears only the cost of work included in that contract.

2. Contract arrangements and work entailed for the development of the FB-111 aircraft (bomber version) including estimated development and production costs and a comparison of the estimated production costs of the FB-111 with the production costs of the F-111.

3. Status of engine procurements for the F-111 production program including the contracts for the advanced P-12 model of the TF-30 engine, or other engines which may be contemplated for use in the program.

4. The extent to which the prime contractor has met performance specifications for the Navy F-111B aircraft. Determine the production schedule for the 24 Navy aircraft included in the production contract and the model of the TF-30 engine to be used, or other engines which may be contemplated for use in the program.

5. The number of Government personnel assigned at the F-111 project office and other locations involved in managing the program, special committees established, together with total yearly administrative costs to date to the Department of Defense since inception of the F-111 program.

6. Cost effectiveness studies that have been made by the Department of Defense comparing the F-111 aircraft with existing Navy and Air Force airplanes and, if available, similar studies comparing the FB-111 aircraft with the B-52.

7. Contract cost summary, cost estimates to complete, extent of program delays encountered, and the probable causes therefor, in developing the Phoenix missile system for use on the Navy aircraft.

8. Nature, type, and frequency of Government reporting requirements placed upon the prime contractor, including the contractor's costs in meeting these requirements.

9. Terms of contract and the unit selling price of the 50 F-111 aircraft sold to the Royal Air Force of the United Kingdom and compare this price with the actual cost, including research and development cost, to produce the aircraft. Also, the provisions that have been made to assure that the selling price will not be below cost. The same information should be obtained with respect to any sales of F-111 aircraft to the Australian or other governments.

10. Whether additional requirements have been placed on Grumman Aircraft Engineering Corporation over its original role to assemble and test only the Navy aircraft.

11. The extent to which the original concept of the ejection pod under contract to McDonnell Aircraft Corporation has been changed or revised.

12. Any and all other information pertinent to the inquiry being pursued by the Subcommittee and which will be of assistance to it in resolving and reporting to the Congress on the issues involved.

As you know, the hearings of the Subcommittee on the F-111 program were never closed but only suspended pending further developments. The Subcommittee has had a continuing interest and responsibility in this program and desires the information requested as soon as possible. Should any difficulty be experienced in developing or obtaining this information from the Department of Defense or its contractors, we would appreciate your reporting this promptly to the Subcommittee.

The staff of the Subcommittee will, of course, continue its inquiry but it is always available to assist you and to furnish any information in the files of the Subcommittee which would be helpful to you in carrying out this request.

A copy of this letter is being sent today to the Secretary of Defense with a request for his personal cooperation, and the cooperation of the Department of Defense and the military departments in making available all records and supplying all facts and information in their possession covered by this request.

Sincerely yours,

JOHN L. MCCLELLAN,
Chairman.

Mr. MCCLELLAN. Mr. President, I also wrote to the Secretary of Defense soliciting his cooperation. I will not read all of that letter, just the last 3 paragraphs. I ask unanimous consent to have the letter printed in the RECORD.

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

SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS,

August 15, 1966.

THE HONORABLE THE SECRETARY OF DEFENSE.

MY DEAR MR. SECRETARY: As you know, the Senate Permanent Subcommittee on Investigations has maintained a continuing interest in the TFX aircraft program since hearings were suspended in 1963 pending further progress on the Research Development, Testing, and Evaluation program and the contract negotiations and consummation.

We understand that during this interim extensive RDT&E has been carried out at a cost far exceeding the amount originally contemplated and as represented to the Subcommittee. Although yet unannounced, we are advised that a production contract has been negotiated, and possibly already entered into, calling for a much smaller number of planes than originally planned for and at a far greater unit cost and at a much higher total expenditure than was originally anticipated and represented to the Subcommittee.

Current reports that the plane developed by the contractor which has been accepted by the Government, is seriously deficient in meeting the design specifications and proposed performance capabilities are, of course, a matter of deep concern to the Subcommittee, and it will desire all facts and full information relating thereto.

The Subcommittee is also seeking accurate information respecting expenditures that have been made in relation to this weapons system, the extent of the financial obligation the Government has incurred—the total cost involved—the price per unit the Government has contracted or is agreeing to pay for these planes, and how such amounts compare with the representations made and testimony previously submitted to the Subcommittee.

To aid the Subcommittee in securing this information and to provide it with a correct cost analysis of the entire project, we have sought the assistance of the General Accounting Office. The attached copy of letter of this date to the Honorable Elmer B. Staats, Comptroller General of the United States, is self-explanatory.

In order that the Comptroller General and the General Accounting Office may expeditiously perform this service for the Subcommittee and the United States Senate, we respectfully request your personal and official cooperation. We also ask that you direct the Secretaries of the Air Force and of the Navy and all appropriate officials and personnel under your jurisdiction to make available to the Comptroller General and representatives of the General Accounting Office all records, documents, materials, and other pertinent information which the Comptroller General deems necessary and which is required by him to carry out this mission.

Please advise.

Sincerely yours,

JOHN L. MCCLELLAN,
Chairman.

Mr. MCCLELLAN. Mr. President, these paragraphs read:

To aid the subcommittee in securing this information and to provide it with a correct cost analysis of the entire project, we have asked the assistance of the General Accounting Office. The attached copy of letter of this date to the Honorable Elmer B. Staats, Comptroller General of the United States, is self-explanatory.

In order that the Comptroller General and the General Accounting Office may expeditiously perform this service for the Subcommittee and the United States Senate, we respectfully request your personal and official cooperation. We also ask that you direct the Secretaries of the Air Force and of the Navy and all appropriate officials and personnel under your jurisdiction to make available to the Comptroller General and representatives of the General Accounting Office, all records, documents, materials, and other pertinent information which the Comptroller General deems necessary and which is required by him to carry out this mission.

Please advise.

I hope, Mr. President, that that cooperation will be forthcoming. We seek nothing except to get at the truth. Congress and the people of this country are entitled to know the truth.

If the press is reporting the truth, then it indicates that action definitely is needed by Congress.

Today, tomorrow, or whenever I can, at an appropriate time, I shall offer an amendment to the bill, to make certain that none of the funds is transferred from the purposes for which they are earmarked to procure the Navy version of this plane.

Until there is a satisfactory version, and until Congress can have time to look into it further, I shall oppose funds being expended for that purpose.

Mr. JACKSON. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I am now very happy to yield to the Senator from Washington.

Mr. JACKSON. Mr. President——

Mr. McCLELLAN. Mr. President, will the Senator yield to me at this point?

Mr. JACKSON. Yes.

Mr. McCLELLAN. I have just been handed a letter from the Office of the Secretary of Defense, delivered to me just now, signed by Jack L. Stempler, Assistant to the Secretary, Legislative Affairs, acknowledging receipt of the letter that I sent yesterday and advising that the Secretary of Defense has asked that it be acknowledged and stating that appropriate officials within the Department are examining the matter and will advise me further as soon as possible.

I think the letter should be made part of the RECORD, and I ask unanimous consent that it be printed in the RECORD at this point.

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

OFFICE OF THE SECRETARY OF DEFENSE,
Washington, D.C., August 16, 1966.

HON. JOHN L. McCLELLAN,
Chairman, Senate Permanent Subcommittee on Investigations, Committee on Government Operations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Secretary of Defense has asked me to acknowledge your letter of August 15 in which you advised that you have requested the assistance of the General Accounting Office with respect to developing certain data regarding the F-111 aircraft program.

Appropriate officials within the Department are examining the matter and we will advise you further as soon as possible.

Sincerely,

JACK L. STEMPLER,
Assistant to the Secretary, Legislative Affairs.

Mr. JACKSON. Mr. President, the questions raised on the floor today and the news articles which have appeared in the press, referred to by the able and distinguished Senator from Arkansas, are of such importance that they should be responded to by the Department of Defense without delay, and certainly in detail.

The country is certainly entitled to have this information so that the questions which have been raised can be properly answered.

Mr. McCLELLAN. I thank the Senator.

Mr. President, I yield the floor.

EXHIBIT 1

[From Aviation Week & Space Technology, July 11, 1966]

VARIABLE-GEOMETRY F-4 PROPOSED TO NAVY — DEFENSE DEPARTMENT READIES $1.85-BILLION F-111 CONTRACT BUT NEW McDONNELL CONCEPT VIES FOR B-VERSION FUNDS

(By George C. Wilson)

WASHINGTON.—McDonnell is offering the Navy a variable-sweep wing version of its F-4 fighter, an aircraft that could become a substitute for the overweight General Dynamics F-111B even though the Defense Dept. is prepared to sign a $1.85-billion contract for slightly less than 500 F-111As and Bs.

McDonnell already has talked to Navy leaders about its new F-4 and is expected to submit a formal, unsolicited proposal soon. The improved F-4 would be powered by two 17,900-lb.-thrust General Electric J79-GE-10/17 engines, carry an advanced version of the Raytheon Sparrow 3 air-to-air missile instead of the Hughes Phoenix slated for the F-111B, and incorporate airframe changes to accommodate the new wing.

Although purposely not portrayed by its backers as an F-111B substitute to avoid becoming embroiled in the F-111 political controversy still smoldering, the new F-4 is being offered in quantity under a fixed-price contract. One preliminary proposal is for 300 variable-sweep wing F-4s to be built within two years. The advanced F-4 is being offered at the time the Navy is experiencing development problems with the F-111B. Consequently, Pentagon budget chiefs will have to make a choice this winter between the proposed F-4 and the F-111B in allocating Fiscal 1968 aircraft money.

DOD CONTRACT

The Defense Dept. $1.85-billion contract with General Dynamics, on the verge of being signed as of late last week, calls for a production buy of about 475 Air Force F-111As and 25 Navy F-111Bs. This results in a unit cost—not including the price of the Pratt & Whitney TF30 engines—of about $3.8 million. Great Britain and Australia plan to buy 50 and 24 F-111As, respectively, for a total production buy of 574 F-111 aircraft. In addition, the Air Force plans to buy about 250 FB-111 bomber versions of the aircraft—basically the Air Force fuselage and the Navy wing.

Senate and House military committees have told the Navy not to commit itself to buying the F-111B in quantity until it is satisfied that the aircraft will perform its fleet defense mission adequately. This pressure, plus Navy promises to withhold judgment until after finishing preliminary flight evaluations of the fourth and fifth F-111B prototypes this winter and early spring, makes the production contract far from final. The Defense Dept. still could cancel it if flight evaluations dictate this course.

The variable-sweep wing F-4 is seen not only as a competitor to the F-111B, but to the Navy's VFAX and Air Force FX advanced tactical fighter concepts as well. McDonnell declined to comment on its new F-4 proposal. But reliable sources said the concept, an outgrowth of advanced fighter studies funded by both the company and the Navy, is attracting widespread Defense Dept. interest.

Backers of the variable-sweep wing version of the F-4 say it promises to narrow the performance difference between itself and the F-111B and offer the Navy a fleet defense aircraft of lighter weight and less cost. Just what the F-111B will cost ultimately is unknown. When pressed on this point earlier this year by the House Armed Services Committee, the Defense Dept. said the F-111A on a production order of 1,398 aircraft would have a unit flyaway cost of $4.6 million. But now that the eventual buy is expected to be closer to 800 aircraft and many engineering changes have been made, the cost of both the F-111A and F-111B almost certainly will be more than that estimate.

Latest versions of the F-4—which do not have a variable-sweep wing—compare favorably with the F-111B performance to date in many categories.

The F-111B is designed to fly at altitude at Mach 2.5, compared with Mach 2.25 for the F-4. The F-111B and F-4 can fly at about Mach 1.2 on the deck, although the F-111B can fly at this dash speed for a significantly longer period of time. With wings that could be swept, the F-4 most likely could improve its dash capabilities.

PROTOTYPES DELIVERED

To date, General Dynamics has delivered three F-111B prototypes to the Navy under the development contract funding 18 Air Force and five Navy aircraft. The fourth and fifth F-111Bs are the superweight-improvement program (SWIP) versions, the company's effort to reduce the weight of the aircraft. General Dynamics has contended that the future of the F-111B program should be determined on these SWIP versions rather than on the three earlier prototypes. These last two models are expected to be delivered between now and September.

Flight testing of the F-111B so far has shown problems of drag, weight, engine-inlet matching and uneven afterburner operation. Navy hopes the advanced version of the TF30-P-3 engine, the TF30-P-12, will help overcome the drag by providing more thrust. The TF30-P-12 currently is under development and is expected to be ready within two years.

The excessive weight of the F-111B contributes to the drag and performance shortcomings. The original F-111B work statement called for an empty weight of 38,800 lb. The first three F-111Bs have weighed between 46,000 and 47,000 lb. empty. General Dynamics predicts the SWIP versions will weigh 3,000 lb. less, or about 43,000 lb.

Compounding the weight problem of the F-111B is the long loiter-time requirement. The Navy wanted the F-111B to fly combat air patrol around the perimeter of the fleet for about 4 hr. to guard against any enemy aircraft. To achieve that long loiter time, the Navy expected the F-111B would carry about 16,000 lb. of fuel. The fuel and armament were expected to give the F-111B a takeoff weight for its fleet-defense mission of about 63,500 lb. But because of the extra drag, Navy now anticipates it will have to carry a heavier load of fuel to perform the loiter mission.

The anticipated takeoff weight of the F-111B is now about 78,000 lb., or seven tons over specifications. General Dynamics is optimistic that its flight-tested high-lift devices will overcome much of the aircraft's excessive weight problem.

F-4 WEIGHT

How much the variable sweep F-4 would weigh remains to be seen.

The Navy F-4B, now operational has an estimated empty weight of 28,000 lb. and gross weight of about 56,000 lb.

The Defense Dept. has compared the F-4 and F-111B several times in the past, but a variable-sweep wing version of the F-4 throws a new light on these studies. Navy Secretary Paul H. Nitze told congressional military committees earlier this year that his service's decision on F-111B production would be made in December. But that decision is expected to be withheld until the flight performance data on the SWIP F-111Bs are analyzed. The Phoenix development program has been funded at a lower level than originally planned, thus slipping the whole F-111B Phoenix program by about a year.

Navy, under the present plans, will get the F-111B in quantity in 1968, assuming production approval is given. Originally, the Defense Dept. planned to buy 1,350 F-111As for the Air Force, 350 for the Navy.

AIRCRAFT MIX

If the F-4 variable-sweep wing fighter does get Defense Dept. approval, there still could be a mix of that aircraft and the F-111B. A great deal depends on the combat ceiling achieved by both aircraft.

Navy strategists want a fighter that can go high enough to intercept the latest bombers.

The F-111B aircraft was supposed to have a combat ceiling of 60,000 ft. So far, the test aircraft have reached about 48,000 ft.

Whether this altitude is considered adequate, given the extra coverage provided by the Phoenix, will depend heavily on the Defense Dept. assessment of the future altitude capabilities of Soviet bombers.

[From the Wall Street Journal, Aug. 3, 1966]

TOUTED TFX TOO FAT TO FLY FOR NAVY NOW—SAVINGS FADE AWAY—COSTS SOAR BUT ECONOMY PLANE WON'T—NAVY REDUCES ORDERS AS MAKER REDUCES AIRCRAFT

(By Jerry Laudauer)

WASHINGTON.—The billion dollars that Defense Secretary McNamara claimed he would save by procuring essentially the same fighting plane for different missions seems to be evaporating—and fast enough to provoke a replay of the 1963 Congressional TFX investigation that kept the Pentagon in a tizzy for months.

The Secretary's bid to mate a low-flying Air Force fighter-bomber with a high-flying Navy interceptor has turned up mixed results in test flights so far. The Air Force anticipates excellent performance from its version of the variable-wing F111, as the TFX is now called. But the Navy version, the F111B, has bumped into troublesome, costly development difficulties. Partly as a result, the Navy quietly has sealed back planned procurement from 350 to fewer than 150 planes.

Considering the difficulties, General Dynamics Corp., prime contractor for what will be the costliest weapon in the U.S. arsenal, claims it has fashioned a technical wonder. But Chairman MAHON (D., Tex.), of the House defense appropriations subcommittee is among the knowledgeable civilians who express concern that Mr. McNamara's gamble "may turn out to be a failure." Mr. MAHON projects outlays for research, development, procurement and testing of 23 prototype production planes at $1.5 billion, or $416 million more than the Air Force had estimated when Mr. McNamara awarded the contract in late 1962. Estimated production costs have jumped by a bigger percentage.

SEVEN TONS OVERWEIGHT

Among other deficiencies in test flights, the third model in a planned five-model development series for the Navy has reached a combat ceiling of only 48,000 feet, 12,000 feet below requirements set down in Navy specifications and 8,000 feet below the performance promised by General Dynamics. Fully loaded with fuel, the Navy model weighed in at a hardly svelte 78,000 pounds—14,000 pounds overweight.

In preparation for flight tests of the fourth and fifth development models this summer and fall, General Dynamics has wrung 3,000 pounds from the F111's airframe, bringing empty weight to within 5,000 pounds of the specification for safe landing on carrier decks. To compensate for excess weight that can't be eliminated, the company counts on new devices intended to reduce landing speed, and on higher-thrust engines from Pratt & Whitney division of United Aircraft Corp. Aircraft designers say higher thrust tends to improve all of a plane's performance characteristics.

But some Navy officers believe the overweight plane won't be able to carry sufficient fuel for its primary mission: To "loiter" several hundred miles from the fleet and knock down attacking planes. Early test models couldn't reach the farthest-out loiter distance of 750 miles, much less stand guard for the specified hour and a half.

Another test is the F111B's ability to get back aboard its carrier from an uneventful mission with its six Phoenix air-to-air missiles unfired. Air Force officers have suggested to the Navy, only half in jest, that dumping unfired missiles (which cost $125,000 each) would lighten landing loads.

For the record, admirals still talk cautious optimisms. "I don't believe any of us are willing to give up until this December," says Adm. David L. McDonald, chief of naval operations.

CRITICS' REPORTS

But critics on Chairman MAHON's money-voting panel say the Navy's private view is different. "Everyone we talked to in the Navy said they don't like this airplane and do not want it," says Republican Rep. MINSHALL of Ohio. Democratic Rep. SIKES of Florida adds: "The Navy is scared to say anything except that they hope to overcome the deficiencies. I'm afraid we're going to wind up with a second-rate plane. Sooner or later there's going to be a full-dress investigation."

On the other side of the capitol, Chairman MCCLELLAN (D., Ark.) of the Senate investigations subcommittee has passed word that he will resume the 1963 hearings once the Navy makes up its mind, sometime between mid-December and late February, whether it wants the plane. (Sen. MCCLELLAN had planned to reopen the investigation early this year, but decided to avoid controversy until he had been renominated in last month's Arkansas primary.)

But even as Navy's planners ponder what to do if the F111B flops, Secretary McNamara is preparing to confound Congressional critics once more. He will claim the Pentagon can save $1.5 billion, not just $1 billion, because of the plane's "commonality" (construction of similar aircraft for different purposes).

The Secretary contends that by spending $85 million extra for development and testing he can make the F111 fighter serve as a strategic bomber (FB111) to replace obsolescent B52s, which have been among the mainstays of the nation's nuclear striking force. Aides have prepared estimates showing that a replacement bomber "comparable in concept" to the FB111 would cost at least $1.5 billion to develop, starting from scratch. So Mr. McNamara can argue that if he hadn't spent $1.5 billion on the F111 he would have to spend an equal sum developing a separate replacement for the B52s.

Basically the proposed FB111 would combine the Air Force fighter's fuselage with the Navy interceptor's wing tips. There would be stronger landing gear, too. On a non-nuclear mission, bombs would hang from the wings rather than in the usual bomb bays.

As now conceived, the bomber wouldn't pack the payload of the newer-model B52s, series G and H, nor would it fly as far. But Air Force Secretary Harold Brown says: "You might try stretching it further." If, as seems likely, Mr. McNamara decides to stretch the FB111's range and bomb capacity, he would be able to claim savings of the extra billions the Air Force wants to spend on a more advanced bomber, combining B52 range and payload with FB111 speed and maneuverability.

RISING COSTS

Finding a spot in the strategic bomber fleet for the F111 might help offset Mr. McNamara's embarrassment as he watches costs for the Air Force fighter and the Navy interceptor versions mount.

When he awarded the contract, the Secretary cautioned that Air Force cost estimates, which were based on General Dynamics' cost data, couldn't be considered reliable. But he based the contract award on General Dynamics' "demonstrably credible understanding of costs." He also cited lack of "cost realism" by the rival Boeing Co. as a major reason for overturning the military leaders' nearly unanimous choice of Boeing.

The development contract requires General Dynamics to absorb extra costs above a stated target figure and to accept penalties for poor performance. "I'm sure the Navy will hold the contractor to the full penalty of the excess weight," says Rear Adm. W. E. Sweeney, the project manager.

Nonetheless, General Dynamics still expects to turn a profit on the development work. Much of the extra cost, the company says, has been caused by Pentagon-directed design changes and by unforeseen technical problems encountered by subcontractors for whose performance General Dynamics isn't responsible. Hughes Aircraft Co., for example, will spend about $50 million extra to develop the Navy plane's intricate air missile control system.

SEEKING A PRICE BOOST

Probable production costs also have climbed sharply. In negotiating for the first production contract, General Dynamics seeks $4.6 million per plane, up $1.8 million from early estimates. In part, the per-unit price rise is due to shrinkage in planned procurement, particularly for the Navy. If spare engines, ground equipment and other extras are included, what had been conceived as a $7.1 billion program for 1,704 aircraft is now unofficially pegged at possibly $11 billion for 1,398 planes, including 74 F111's for Britain and Australia, and 275 bomber versions for the U.S.

Boeing's lower cost estimate and better promised performance on paper sparked the year-long McClellan investigation of the contract award. But what angered the admirals more was Mr. McNamara's directive to trade off some desired performance features if necessary to reach agreement with the Air Force on a common aircraft design. By prodding the services to give up "gold-plating"—a marginal bit of extra performance purchased at great cost—the Secretary claimed he could save $1 billion. To the admirals Mr. McNamara's approach was heresy, for it meant giving up the best plane money could buy.

Neither Adm. McDonald nor his subordinates are disposed to criticize General Dynamics. On the contrary, they praise the contractor's ingenuity. Speaking softly to avoid arousing Mr. McNamara, the admirals lay the blame instead on his "shotgun marriage" of incompatible Air Force and Navy partners. To meet Air Force requirements, they say, designers necessarily deemphasized some features the Navy sought, chiefly low weight and swift rate of descent for carrier landings.

"Now that he admits this beast is a strategic bomber, how does he (Mr. McNamara) expect us to fly it off carriers?" one Navy man wonders.

If indeed the Secretary has asked too much of his pet, the Navy would consider these among other possible alternatives: Waiting until 1968 for a still higher-thrust Pratt & Whitney engine for the F111; or falling back on improved models of McDonnell Aircraft Co.'s F4 Phantom series of fighter planes.

McDonnell shortly will offer a variable-wing Phantom, designed specifically for the Navy, that could become a competitor of the F111B. As in the General Dynamics aircraft, the pilot could, by moving a cockpit lever, reposition the wings in flight for a wider range of performance.

[From the Washington (D.C.) Evening Star, Aug. 4, 1966]

DELAY IN BUILDING TFX ACCEPTABLE TO NAVY CREATES STIR

NEW YORK.—The bitter controversy over whether Defense Secretary Robert S. McNamara forced a second best warplane on the nation's military to save $1 billion is heating up again.

This latest outbreak centers around development of the Navy version of the TFX—tactical fighter experimental—now known as the F111B.

As a weapons system—aircraft wedded to missile—the program is 12 to 18 months behind schedule.

BADLY OVERWEIGHT

The first three prototypes were so badly overweight they were useless for carrier operations.

Further, the research and development costs for the weapons system are soaring although this is not uncommon in projects involving new weaponry.

The F111—and there are two versions to date—may not turn out to be the all-weather, all purpose air superiority aircraft originally envisioned by McNamara.

The Marine Corps already has told Congress it does not intend to buy the F111 in either the Air Force or Navy versions for close air support of troops.

REPORTS OF NEW HEARINGS

There have been published reports out of Washington indicating that the Senate Investigations subcommittee, headed by Sen. JOHN L. MCCLELLAN, D-Ark., may reopen its still unconcluded hearings.

In 1963 the McClellan subcommittee heard testimony covering over 2,700 pages and collected in 10 volumes, but it never issued a finding.

To date the controversy over the F111B has swirled around the first three prototypes.

A slimmed down fourth prototype, identified as No. 4 F111B, was rolled off the assembly line in July and its builders contend it will meet the Navy's operating requirements although it, too, is still somewhat overweight. The No. 4 has been flown for 80 minutes.

"WE MUST MAKE WORK"

A Navy decision of whether to buy the F111B is not expected until December after full evaluation of a fifth prototype, which is due for production this month.

Secretary of the Navy Paul Nitze said on July 27 that the F111B was a weapons system "we must make work."

The controversy over the TFX, or F111, began in 1962 when McNamara overrode the recommendations of a 235-man panel of aircraft experts four times.

The panel had recommended acceptance of a design submitted by the Boeing Co., of Seattle.

"COMMONALITY STRESSED"

McNamara selected the General Dynamics design on the grounds that it offered the best chance of producing an aircraft with a high degree of what he called "commonality"; that is, identical parts.

The defense chief characterized the Boeing cost estimates as unrealistic although Boeing had been working on a design for a variable sweep wing aircraft, such as the TFX, since 1959.

In the original competition Boeing proposed to build 23 research and development aircraft for $466 million. General Dynamics' proposal was $543 million.

McNamara told the McClellan hearing the purchase of a single warplane for use by the Air Force, Navy and Marines would save at least $1 billion.

"ROUGH JUDGMENTS"

Subsequently, when the subcommittee asked the then comptroller general, Joseph Campbell, to check McNamara's savings claim, Campbell reported he could find no figures and quoted McNamara as saying: "He had made rough judgments of the kind he had made for many years with the Ford Motor Co." McNamara is a former Ford president.

During the course of the hearings there were assorted charges of favoritism, conflict of interest and lack of Defense Department cooperation, but McNamara refused to budge.

At the time of the contract award, there was congressional testimony that to buy 1,704 TFX warplanes with spare parts and spare engines would cost around $7.8 billion.

As matters now stand, Rear Admiral W. E. Sweeney told a House Appropriations subcommittee last March the Navy F111B research program was running about 30 percent higher than estimated.

Further, Sweeney said, overall research, development and engineering costs had climbed from $84 million to around $210 million.

One of the major delays encountered in the program has been development of the Phoenix missile. Research costs reportedly have climbed from $137 million to around $240 million.

The TFX, or F111, comes in two versions—the "A" for the Air Force and the "B" for the Navy. General Dynamics claims the two versions have 85 percent commonality. The F111B is being built for General Dynamics by Grumman Aircraft Engineering Corp., on Long Island, N.Y.

Both versions employ a wing which will sweep from 16 degrees off a right angle extension, or nearly straight out, to 72.5 degrees for high speed operations.

The Air Force version has a wingspan of 63 feet and is 73 feet long. The Navy version has a 60-foot wing span and length of 66.8 feet.

MISSIONS DIFFER

The Air Force has bought the F111 as a fighter-bomber, while the Navy plans to use it as a long-range interceptor.

Since their missions differ, the electronic equipment, or "black boxes," differ radically.

The Air Force version is designed to travel at two and a half times the speed of sound at its service ceiling of 60,000 feet, while the Navy version is supposed to reach 2.2 times the speed of sound at 55,000 feet. The speed of sound at these altitudes is 660 miles an hour.

Air Force and industry sources say the F111A had exceeded its speed requirements, has carried a full load of 48 bombs each weighing 813 pounds, and has reached its service ceiling.

General Dynamics had produced 14 of the proposed 18 F111–As at its Fort Worth plant. There is no weight problem with the F111A.

WEIGHT IS CARRIER PROBLEM

As for the Navy versions, the No. 3 had a 78,000-pound gross weight, a fact which set off the current controversy when the information became public.

Since the Forrestal class carriers have an elevator capacity of only 79,000 pounds, this meant the No. 3, if used by the Navy, would have to be fueled and armed on deck, thus reducing some of the carrier commander's operating flexibility.

After an intensive weight-reduction program, Grumman turned out a slimmed down F111B in July with a gross weight of 64,778 pounds, according to one source. This was still higher than the maximum of 55,000 pounds set by the Navy.

On the basis of information gleaned from assorted sources in Congress, among the military and in industry, here is the way the No. 4 F111B compares with the original specifications.

The Navy asked for an empty weight of 39,000 pounds. No. 4 weights 43,000 pounds.

REQUIREMENT CHANGED

The Navy specified an aircraft which could land on a carrier anchored in a dead calm. This requirement was changed by McNamara to an arresting wind-over-deck of 10 knots, or 11.6 miles per hour.

With its new high lift wings, No. 4 can land at 105 knots with an arresting wind of between 15 and 18 knots. The Navy's current fleet jet, the Phantom II (F4) lands at about 132 knots and has an arresting wind requirement of 32 knots.

The Navy originally asked for an aircraft which could "loiter" for more than three hours at a distance of 750 miles from the fleet. This was reduced by the Pentagon to a range of around 500 miles and a loiter time under three hours. No. 4 is expected by Grumman to meet the compromised loiter and range requirements.

The service ceiling of 55,000 feet has yet to be met by the F111B. A Grumman spokesman said the No. 3 was never taken to its ceiling because Grumman knew it was overweight and unacceptable. The No. 4 is expected to meet the Navy specifications, he said.

CONTROVERSY ON COSTS

One of the chief sources of the controversy concerns costs and in this area there is a welter of often confusing and conflicting figures.

The Pentagon has announced a plan to buy 431 F111s, 24 of which will be for the Navy. This figures out to a unit cost of $2.3 million. General Dynamics' original unit cost estimates, based on an order of 1,704 aircraft, with spare parts and spare engines, came to $2.9 million each.

What makes the Pentagon purchase order unusual is that it was announced before a final decision on the F111B had been made and even before the No. 4 improved model had been turned out.

A congressional source said in an interview he understood the unit cost had soared to around $9 million but efforts to check this figure have been rebuffed. If the congressional source turns out to be right, this would mean a "buy" based on the original 1,704 proposal of $15 billion—roughly twice the original cost estimates.

[From the St. Louis (Mo.) Post-Dispatch, Aug. 4, 1966]

TFX PLANE COSTING FAR MORE THAN ESTIMATED—NAVY HAS REFUSED TO ACCEPT IT SO FAR—FIRST THREE PROTOTYPES OF ALL-PURPOSE AIRCRAFT FOUND TO BE TOO HEAVY FOR USE ON CARRIERS

(By Bem Price)

NEW YORK, August 4.—The Navy version of the TFX (tactical-fighter experimental) aircraft is 12 to 18 months behind schedule, is costing more than estimated and may not turn out to be the all-purpose aircraft as planned.

The United States Marine Corps has already rejected the aircraft, now known as the F–111B, as a close air support weapon because there are no gun pods aboard it.

The first three prototypes of the F–111B turned out to be so overweight they could not be used aboard carriers.

A fourth version of the Navy model TFX rolled off the assembly line in July. Builders say they believe it will meet Navy specifications.

A decision on whether the Navy will accept the aircraft will be made in December after evaluation of a fifth model to be turned out this month.

On July 27 Secretary of the Navy Paul H. Nitze said the F–111B was a weapons system "we must make work." Nitze said the project was "one of the most sensitive the Navy has ever undertaken."

The TFX became a center of controversy in and out of Congress when Secretary of Defense Robert S. McNamara four times overrode recommendations of an evaluation board.

The board had urged acceptance of a design submitted by the Boeing Co. of Seattle. McNamara held out for the design submitted by General Dynamics of Fort Worth, Tex.

In defending his choice before a Senate committee, McNamara said the General Dynamics version promised greater "commonality," that is, common parts, and purchase of the all-purpose air frame would result in a saving of a billion dollars.

The TFX, or F–111, comes in two versions—the A for the Air Force and the B for the Navy. General Dynamics asserts that the two versions have 85 per cent identical parts.

When the first prototype of the Air Force version was completed at Fort Worth in October 1964, McNamara said:

"For the first time in history, we have an airplane with the range of a transport, the carrying capacity and endurance of a bomber and the agility of a fighter-pursuit plane. Its performance is as versatile as its missions are varied."

With minor modifications—A longer wing and a shorter nose—the TFX was to serve as a carrier-based plane for the Navy.

R. Adm. W. E. Sweeney told a House subcommittee on appropriations last March that the Navy research program was running about 30 per cent higher than planned.

Adm. Sweeney said over-all research and development costs had risen from $84,000,000 to $210,000,000.

The Defense Department had originally planned to buy 1,704 aircraft, which with spare engines and spare parts, was to have cost 7.8 billion dollars.

A major cause of delay in developing the F-111B—the navy version—has been guidance and control problems with the Phoenix air-to-air missile. The Navy envisions the plane as primarily an interceptor armed with six of these missiles.

Research costs on this missile have climbed from $137,000,000 to somewhere near $240,000,000, Adm. Sweeney said.

There have been 14 models of a projected 18 planes for the air force and four models of a proposed total of five craft for the Navy.

The Air Force versions have flown 1,166 hours. Air Force and industry sources say the latest model of the aircraft has met specifications.

But the F-111B version may provoke reopening of a congressional investigation.

Prototype 3 of the F-111B, weighed with fuel and ordnance somewhere close to 78,000 pounds, too close to the 79,000-pound capacity of elevators on 8 of the 15 attack carriers for which the F-111B is designed. This meant the model 3 versions would have had to be fueled and armed on deck, thus reducing the carrier commanders' operating flexibility.

The navy version of the TFX is being built by Grumman Aircraft Co. on Long Island under a subcontract with General Dynamics.

After an intensive weight reduction program, Grumman turned out a slimmed down version in July. It was still overweight but there had been a comparatively large improvement.

Frank Davis, president of the Fort Worth division of General Dynamics, said in an interview he had no doubt the late models of the F-111B would be acceptable to the navy.

A. B. Lemlein, production chief at Grumman and a former marine fighter pilot, said in another interview:

"The Navy has not test-flown model 4. On the basis of the original specifications and the first three versions, there is no question but what the Navy would not take them. We now think we have one hell of an aircraft and the Navy will buy it."

On the basis of information gleaned from a number of sources, military, congressional, and industrial, here is the way the fourth prototype compares with the original Navy specifications:

The Navy asked for an empty weight of 39,000 pounds. The fourth prototype weighs 43,000 pounds.

The Navy specified an aircraft that could land on a carrier anchored in a dead calm. The requirement was changed by McNamara to an arresting wind-over-deck requirement of 15 knots (11.6 miles an hour).

With its new high-lift wings, model 4 meets the Navy landing speed requirements. It can land at 105 knots although it must have an arresting wind of about 18 knots. The Navy's current jet, the Phantom II (F-4) lands at about 132 knots and requires an arresting wind of 32 knots.

Originally, the Navy asked for a plane weighing 50,000 pounds, fully fueled and armed. This was later increased to 55,000 pounds. The estimate on the model 4 is 64,778 pounds, one source says. Lemlein declined to say whether the 64,778-pound figure was accurate. He said that insofar as he knew the information could not be made public.

The Navy originally asked for an aircraft that could "loiter" for three plus hours 750 miles out from the fleet. The range was subsequently reduced to 500 miles and the "loiter" time to less than three hours. Model 4 reportedly can meet the reduced "loiter" and range requirements.

The aircraft was to have a service ceiling of 55,000 feet. Its cruising ceiling was to be around 35,000 feet. The model 3 was never taken to its service ceiling on the grounds that it was too overweight. Grumman said it believes the model 4 will meet requirements.

The Air Force bought the F-111A as a fighter-bomber. It can carry 48 of the new 300 pound bombs. The Navy wants the F-111B as a missile-air interceptor, with a secondary mission of fighter-bomber capable of also carrying 24 of the 813-pounders.

Air Force sources say the F-111A has met its bomb load requirements along with speed and range. None of the Navy versions has been fully tested.

Although there is no gun pod on the plane, which has made it unacceptable to the marines as a close air support fighter, Grumman insists a gun pod can be mounted.

The Marine corps commandant, Gen. Wallace C. Greene, said the corps would depend on improved versions of the Phantom II, made by McDonnell Aircraft Corp. of St. Louis.

The F-111, then known as the TFX, was born in the controversy generated by McNamara's selection of General Dynamics as contractor.

Boeing had proposed to build 23 research and development aircraft for $466,000,000. The price granted by General Dynamics was $543,000,000.

McNamara said the Boeing cost figures were "unrealistic" and, besides, the General Dynamics design promised higher commonality.

There was subsequent testimony in 1963 from a congressional accountant that McNamara told him he based his cost conclusions on "rough judgments." The accountant testified also that McNamara had no figures to support his assertion that a billion dollars could be saved with a plane useful to the three services.

None of the accountant's testimony was ever disputed in any detail.

One of the sources of greatest controversy is, of course, costs.

Davis and Lemlein say there now is no way to assess ultimate costs per unit. They contend the unit costs can be determined only after a decision is made on how many aircraft will be built.

The Pentagon has announced a plan to buy 431 F-111s—24 for the Navy—at a cost of 1.5 billion dollars. This would result in a unit cost of $2,300,000.

General Dynamics' original unit cost, based on an order of 1704 aircraft, was $2,900,000, according to congressional testimony.

However, Davis maintains that the only contract he has is one for research and development aircraft. The contract is for $460,000,000 with an allowable "overrun" of 10.09 per cent. Any development costs above that, he said, will have to come out of the company's pocket.

What makes the Pentagon purchase order unusual is that it was announced before the F-111B had been accepted by the Navy—or even before a weight improved model had been turned out.

A congressional source said in an interview he understood the unit costs were actually running closer to $9,000,000 per version.

If the congressional source is correct, based on a "buy" of 1704 aircraft, the total cost would be close to 15 billion dollars.

There are reports from some military sources that the initial purchase will turn out to be 950 aircraft for the Air Force and 231 for the Navy.

This military source said he had no idea of what the unit costs would be based on a purchase of 1,181 planes—and he did not think anyone else had either.

[From Barron's, Aug. 15, 1966]

POINT OF NO RETURN—THE TFX PROGRAM HAS GONE FROM SCANDAL TO DISASTER

(This account, like the earlier three-part series which it cites (Barron's, July 12, August 16 and 30, 1965), was written by J. Richard Elliott, Jr., of Barron's staff.)

"Fiscal 1966, which began inauspiciously on July 1 (1965), shapes up as a crucial year for the powers-that-be at the Pentagon." With that bit of understatement for openers, this magazine last summer launched a 15,000-word, three-part series of articles on the controversial F-111 fighter-bomber. Going back to its origins as the TFX, and to Defense Secretary Robert Strange McNamara's concept of "saving $1 billion" by making a single design serve the needs of both Air Force and Navy, Barron's traced the curious history of contractor evaluation and the subsequent research, development, test and evaluation program at General Dynamics as it had evolved to that point. The facts all seemed to point one way. The program, we concluded, had far exceeded its planned budget, and expenses bid fair to soar even higher, nullifying any hoped-for saving. What's more, the cost per plane was running "nearly 50 percent more than Mr. McNamara's famed 'cost-effectiveness' experts had forecast," partly because both services were cutting down on their planned procurement. Finally, we noted that the Navy model—even as it became less and less "identical" with the Air Force design in a frantic effort to make it work—had grown so overweight, and fallen so far short in a number of vital respects, that the admirals were thinking seriously of abandoning ship. "Fiscal 1966," we summed up, "is the year of decision."

Twelve months later it gives us scant pleasure to report that our findings erred, if at all, on the side of optimism. While the numbers involved are difficult to document (Congressmen complain of the Pentagon's "deliberate smokescreen"), the program appears to be running up a tab that ultimately will total $10 billion—compared with an original estimate of $5.8 billion, and last year's "official" figure of $7.8 billion. What's more, since only half as many planes are now planned, the cost per unit has risen even more sharply: from an original $2.9 million (and last year's estimated $4.9 million), the average price tag will run to well over $8 million apiece. For its money, the Pentagon is getting what Mr. McNamara calls a "weapons system some said could never be made," and one that all reports indicate never should have been.

Out of his bi-service fighter-bomber, the Secretary proposes to build not two but four different airplanes; added to the Air Force and Navy tactical fighters are a reconnaissance model and the long-range bomber version with which the Strategic Air Command will replace its aging B-52s. All three of the major aspects of the program—not simply the Navy's fast-fading F-111B, but the air arm's allegedly "satisfactory" F-111A and FB-111 as well—are flying on a disaster course. They weigh too much, and they are burdened by aerodynamic drag and other so

far insoluble drawbacks. Indeed, according to confidential reports, they not only fail to meet specifications but also will be no match for Communist MIGs already flying in combat. As we said a year ago, in short, what's good for General Dynamics may not be so good for the country.

Barely four years ago, some future historian may recall, the TFX was supposed to cost $2.9 million per plane. The two services, between them, were prepared to buy 1,700. When the contract finally was awarded, General Dynamics proposed to develop and build the 1,700 F-111s for a total price of $5.8 billion—roughly $3.4 million apiece. When the fiscal 1966 budget was submitted to Congress, the TFX project called for just 1,600 aircraft—at a program cost of $7.8 billion, or $4.9 million each. Early this year Congress was told that each TFX would weigh in (and, as will be seen, that's precisely the word) at roughly $5.9 million.

Since then two things have happened: the number of aircraft scheduled has dropped sharply, while the cost per unit has soared. On the first count, officially, the quantity now in the overall program is down to 1,400 (unofficially, it is reliably said to be less than 1,000, a net reduction of 40% in the past 12 months).

As nearly as one can figure, the 1,400 planes—on which Congress will be asked, early next year, to consider the defense budget requests for fiscal 1968 (when the first of the operational F-111s is due in service)—breaks down roughly as follows. Foreign orders (British, Australian): 74, compared to an originally planned 134. U.S. Navy F-111Bs: 350, against 500 planned a year ago and 592 programmed in mid-1963. U.S. Air Force FB-111s (275), F-111As and RF-111s (700): or 975, against a total Air Force buy of 1,100 a year ago and no fewer than 1,460 originally. Cost of the total program: an estimated $11 billion.

Equally startling is the soaring price per plane. On current official estimates, 1,400 units at $11 billion works out to more than $7.8 million apiece—a far cry from the $5.9 million figure recently given to Congress, to say nothing of the original estimate. That's real escalation. Nonetheless, the figure promises to fall short of the final cost per unit. From sources too highly placed and numerous to discount, Barron's has learned that the Navy plans to whittle down its part of the package once more, from 350 planes to 150, and that the Air Force will cut back from 700 F-111As to 500. All told, fewer than 1,000 will be built.

For what it's worth, then, the average price for TFX aircraft of all types is likely to approach $9 million—indeed far more than the U.S. has ever paid for a mass-produced combat plane. There's one thing more, which even the experts can't put a figure on until the planes go operational. Estimates of maintenance time required for the TFX, and guaranteed by General Dynamics in its contract (subject to penalties), recently became public. In a comparable strike bomber, the Navy's A-7, required maintenance time runs to 11.5 hours per hour of flight: for the hulking C-5A now under development by Lockheed, it's roughly 19 hours per flight-hour. The TFX? 29.86 maintenance hours for the F-111B, 35 maintenance hours for the F-111A, required after every hour in the air. Once it gets off the ground, in short, the most expensive plane ever built will have only begun its assault on Mr. McNamara's budget and the taxpayer's pocket.

So much for cost savings. After all, there's a war on. If the plane lived up to its advance notices, few would grudge the cost. However—and this is what lies behind the steady erosion in the services' demand—mounting evidence suggests that far more is at stake than money. The Navy plane, the Air Force's TAC model and particularly its SAC bomber are simply not good enough.

Let's look at each in turn. The Battle of the Admirals over their F-111B—from the date of Mr. McNamara's concept five years ago through the newspaper accounts of last week—is perhaps best known. To be an effective bi-service craft, the Admirals contend (and their technical people go even farther) an airplane must have its origins in a design based on—not just adapted to—aircraft-carrier suitability. The TFX, commissioned primarily as an Air Force system and designed by Air Force aerodynamicists, took off with little regard for the niceties of having to land at sea. As trouble-fraught developments ensued, capability for service with the Fleet repeatedly was compromised in favor of look-alike commonality. Finally, the Pentagon and contractors embarked upon desperate effort to right the F-111B. It was, however, too late; the Navy plane, as suggested in the McClellan hearings of 1963 (and predicted here a year ago) is a flop.

The main problem is overweight. As originally specified, the Navy plane was supposed not to exceed 50,000 pounds in gross take-off weight, counting fuel, crew, ordnance and other equipment. By late 1962 the "maximum" Navy limit had gone up to 63,500 pounds. Carrier-hardened Navy men knew that, in view of all the other compromises, no greater weight could be allowed. Nonetheless, last year the first three F-111Bs rolled off the assembly line at 47,000 lbs. empty, which meant that in their so-called gross takeoff weight, they'd heft around 78,000 pounds.

That's when the Admirals first blew the whistle. New priorities went out to reduce the weight (or increase the lift) of the Navy plane at any cost. "SWIP" (the "superweight improvement program") and "SCRAPE" (literally, scraping off every last extra fraction of an inch of metal), were aimed at the fourth and fifth developmental models in hope of slashing gross heft to the 63,500-pound absolute limit. Models 4 and 5 were slated to reach the Navy in May and June. Last month, the fourth plane finally weighted in, at 43,500 pounds "empty"—a reduction of only 3,000 pounds—to a gross weight of 75,000. Number 5 now is due in September; results of its SWIP and SCRAPE diets can hardly be much better.

MANIFEST UNHAPPINESS

By the end of the year, the Navy will have test-flown both the fourth and fifth models. But the service's unhappiness is manifest. Even Navy Secretary Nitze, a Pentagon veteran, admitted to a Congressman: "I think the contractor slipped up." Asked if the Navy would have rejected the TFX had it known how overweight the plane would get, Mr. Nitze replied, in House subcommittee testimony, "I think that is correct."

Overweight—which affects a plane's range, speed, acceleration, maneuverability, fuel consumption and weapons-carrying capacity—means still another headache for the Navy: carrier capability. The Fleet has spent nearly $200 million to strengthen decks, catapults and landing cables for planes as hefty as the F-111B; the A-7, for one, with its on-the-deck speed is no lightweight, either. But the TFX presents another problem for carriers: when it's fully loaded, their elevators can't carry it.

According to ranking Navy experts, speaking off the record, most of the carriers now commissioned and under construction will not be able to take the plane from the hangar deck up to the flight deck at anything over 70,000 pounds. The Navy has been advised by armchair admirals at the Pentagon to bring it up empty, then load it with fuel and weapons on the flight deck. To this, a grizzled spokesman replies: "Of course that's possible, but hardly desirable in combat. With all the plane's other shortcomings, it's too much of a price to pay."

In Navy terms, other shortfalls attributable to weight—or to a combination of overweight and inadequate design—lurk in required loitering time, altitude and landing speed. The F-111B will need a "wind-over-the-deck" (WOD) speed, into which to land, of at least 35 m.p.h. Since most carriers can steam as fast as that, they can generate such a speed merely by heading into whatever wind may be blowing. However, such restrictions seem beyond tolerable limits. "Sure you can do it," a veteran officer says. "But in the middle of a battle, it would be nice to know you could pick up your planes no matter which way you happened to be headed, and it might well be preferable not to force the captain to go somewhere he'd rather not."

RANGE AND ALTITUDE

The other technical drawbacks look equally perilous. A squadron of F-111Bs aboard a carrier would have as its primary mission the protection of its fleet, by standing aerial guard, several hundred miles away, for several hours, to detect and intercept attacking planes. The F-111B, tests have shown, cannot reach maximum time—because its weight prevents it from carrying the necessary fuel. As for altitude limits, in the case of a dogfight, the third model of the plane has failed by 12,000 feet to reach the minimum specified height of 60,000 feet—and, in fact, even higher altitudes are known to be required to deal with enemy aircraft on equal terms.

Will the SWIP and SCRAPE models do better? "How much higher, farther and faster can a 75,000-pound plane go than a 78,000-pound one?" asks a top Naval aviation veteran. Worst of all, the special air-to-air missile designed to give necessary punch to the F-111B, Hughes Aircraft's heavy-powered Phoenix, may yet have to be jettisoned to lighten the load. The smaller Sidewinder missile of today's "generation" (none too overpowering in Vietnam, as it's turned out) would be an unhappy second choice.

VICTORY FOR AIR POWER?

Navy's disenchantment over the TFX is a matter of longstanding record. Less generally appreciated is the failure of the F-111 in its primary role, as a tactical fighter-bomber for the Air Force. A clear-eyed view of the TFX as a ground-based tactical aircraft came recently from Gen. Wallace M. Greene, Jr., Commandant of the Marine Corps. Marine procurements originally were to have made the F-111 a "tri-service" plane. Uncharacteristically, the leathernecks backed away from the challenge. Gen. Greene told a House subcommittee that his aviation aides found the F-111 to be "no improvement" over the Marines' present F-4s, particularly in "air-to-ground attack capability . . . therefore . . . undesirable for Marine Corps use."

To be sure, the Marine Commandant was aiming specifically at the Navy's version. However, the Air Force model suffers from similar technical woes. Overweight is a case in point. Weight is the single most vital factor in any airplane, especially a military fighter. Where the Navy plane, after its SWIP diet, now weighs in at a relatively svelte 75,000 pounds at gross take-off configuration, the Air Force model is up to some 90,000.

The problem, which traces to much flabbier production controls on the part of Air Force management, also has been a well-guarded secret. It means that the F-111A cannot yet fly supersonically "on the deck"—that is, at radar-avoiding, tactical-strike altitude of 200 feet—and that it has been unable to reach required speed of Mach 2.5 at peak altitude. Moreover, the highest the plane has been able to go, after well over 1,000 hours of test-flights, is some 60,000 feet, 25%-50% short of requirements.

As recently as last May, the service put the eighth of its General Dynamics F–111A models through an exhaustive series of tests, under all but total security wraps, at Eglin Air Force Base, in Florida. Memoranda circulating in the Pentagon since then have made clear to the top brass that the plane is no match for the Communist MIG–21. At speeds of Mach 2.2 it has violent compressor stalls: the engines suddenly lose power. Carrying its full complement of conventional weapons, according to one observer, "it is so difficult to maneuver that it took half the state to bank into a complete turn." In quick maneuvers, horizontally or vertically—under conditions as near to actual combat as the Eglin experts could simulate—the plane's inability to accelerate fast enough left it "virtually incapable of defending itself in a dogfight with modern enemy aircraft."

BASIC DRAWBACK

What's more, Air Force, Navy and even NASA tests all have verified the plane's basic drawback. Simply put, the F–111A, in aerodynamic lingo, is 35 "counts" high in drag—or 35% "draggier" than it should be. Weight, of course, makes drag harder to overcome but a plane at any weight is supposed to be designed to travel at zero drag. When "dragginess" is extreme, the reason usually lies in some aspect of the configuration, where an outer appurtenance, or some inner ones (in the jet chambers) interferes with air-flow and slows the aircraft, in effect, by causing either turbulence or friction.

According to authorities assigned to the TFX, the program has been shot through with drag. A major source of concern to Navy engineers, it has been shrugged off by Air Force experts, in the belief that improved engine performance will overcome the problem. "All along, they have just refused to recognize the facts," says one observer. "Yet they know that if the drag 'counts' which the tests have shown are right, they don't have the aircraft they claim." Simply put, 35% too much drag means a plane has 35% less range on the same fuel than its design calls for, and is deficient in both acceleration and maneuverability.

A Navy official adds bitterly: "Out at Wright-Patterson they were frankly flabbergasted when they 'discovered' the drag factor meant a 35% loss of range. The Navy would have stopped production right there. But this is an Air Force program. Meeting production quotas is more important than going for design perfection. They like to think such problems will work themselves out."

SOURCES OF DRAG

Like an insubordinate rookie, however, the difficulty has refused to respond. Investigators for months have probed three areas in the design which seem the likeliest source of drag. One is internal air flow. Because of errors in the design for airframe mounting of the engine installation the lining of stable air called "boundary layer" may be stirred up by an erratically directed jetstream. A year ago, sensing some such difficulty (though not admitting it publicly), the Air Force ordered General Dynamics to install so-called splitter plates, to deflect the stream from the interior surface. This maneuver hasn't helped.

A second possibility, it's said, lies in the tail assembly—the part of the overall TFX contract assigned to Grumman (but designed by General Dynamics). In the twin-jet F–111, two special rear ducts must be wide open when the afterburner is on—during acceleration, takeoffs and the like—but must be closed tightly when such added thrust is not flowing. If they are open, air can enter (in a forward direction) from the outside, acting as a brake. Here, too, countless hours of testing, redesign and computer calculations have proved unable to effect any change.

Third, and least likely, of the possibilities under scrutiny is that drag may be caused by air entering the open areas along the lateral surfaces of the fuselage—where, in order for the swing-wings to pivot, some unstreamlined divot always presents itself to the outer airstream. Voluminous wind tunnel data don't show turbulence here, but that proves nothing. However, there's no way to plug the gaps, without upsetting the delicate functioning of the wing pivots.

ANYONE'S GUESS

What the outcome will be is anyone's guess. The Air Force, points out a critic, now is two-thirds through the "RDT & E" (research, development, test & evaluation) phase of its program. "It has 12 planes, out of the projected 18 RDT & Es," he says, "which aren't good for anything but eternal use as testbeds." The test-and-evaluation program, to date, has cost some $1.5 billion—nearly a third more than Mr. McNamara had projected.

Of the three main TFX versions, finally, the only one yet to fly may turn out to be the biggest bomb of all. This is the FB–111, the Defense Secretary's answer to the manned-aircraft needs in the 'seventies of the nation's Strategic Air Command. For the bomber will combine the worst features of the other two models: the awkward bulkiness of the F–111B, with the sleek but still greater weight of the F–111A. In essence, it seems an effort somehow to exploit the overweight of Mr. McNamara's TFX—for "commonality" will make the FB–111, out of the same design, a plane basically identical to the others—by making it a "flying fortress." "Now that he admits the thing is a strategic bomber," a Navy man was quoted the other day, "how can he still tell us to fly it off carriers?"

BETTER ODDS?

Secretary McNamara has warded off endless pleas from SAC for funds to begin full-scale development of a follow-on "AMSA" (advanced manned strategic aircraft). (Congress continues to appropriate the funds anyway, most recently $22.8 million for fiscal 1967.) Instead, he has insisted on a policy aimed at eventually using only nuclear ICBMs for strategic deterrence. (While one has yet to be fired in anger, or under anything simulating an all-out attack, the Pentagon's secretariat believes the missiles offer better odds of penetrating enemy defenses than any manned bomber; however, as former Senator Goldwater, among countless others, has pointed out, the manned plane has the singular capability of being called back to its base at the last moment.) Meanwhile, SAC's present fleet of some 680 bombers—80 supersonic B–58 Hustlers (phased out of production several years ago) and the rest, B–52 Superfortresses, some a decade old—marches inexorably toward obsolescence.

Last Christmas, the Defense Secretary abruptly changed his strategy. Yes, he admitted in effect, some sort of manned bomber ought to be kept on hand at SAC bases to insure "flexible response." But the McNamara plan was a political and military bombshell. He proposed to scrap all 80 B–58s and 350 of the oldest B–52s between 1969 and 1971. Then, added to the 250 remaining and highly advanced B–52 G or H models (the latter boasting a range of 12,500 miles, and both capable of flying at roughly Mach 1) would be 210—since upped to 275—FB–111s. Instead of developing a full-fledged new bomber, said the Secretary, transformation of the TFX into a new stratofortress would save the country yet another half-billion dollars.

Almost no one agrees, and the figures previously cited indicate why. Worse is Mr. McNamara's technical evaluation of the FB–111; as Air Force Magazine pointed out, it "should be retained for future reference." Here's the pertinent part: "It (said the Secretary) will have twice the speed of those (B–52) aircraft, approximately, with approximately the same range. It will fly faster, both at low and high altitudes, and it will have capabilities for penetrating enemy defenses far greater than the plane it replaces. It will come into operational use in 1968. All of the units authorized will be equipped and operational by 1971."

Informed Congressional reaction to this (and an accompanying announcement to abandon 150 SAC bases), was eloquently summed up by the veteran chairman of the Senate Armed Services Committee, RICHARD RUSSELL. Said the soft-spoken Georgian: "If he is right, we will save a few dollars. If he is in error, may a benign Providence save these United States." In the end, however, both houses of Congress—after hearing SAC officers explain that they simply had no choice—told Mr. McNamara to go ahead. The Secretary announced that RDT&E model number 18 of the F–111A program would become the first FB–111, to be test-flown early next year.

WILL IT FLY?

Just what this incredible aircraft will look like, or what it will do when its motors are revved, remains the subject of high interest. Some idea was projected when the Air Force, several months ago, released photos of an F–111A, its stubby wings outstretched and and laden with 36 conventional 750-pound "iron" bombs. Clearly, the wings can't sweep back against the fuselage, for full acceleration, with all this hardware on them. Equally important, the plane may not be able to fly without vibrations that would literally shake it apart.

Experts have doubts about a lot of other things. Says one, Secretary McNamara's glib evaluation "obviously" mixed the TFX's capabilities as a fighter with those it conceivably may have as a bomber—"without explaining which is which." With so many iron bombs hung on the wings, it plainly no longer is a fighter; hence, it can't be twice as fast as the B–52. "It will have about the same high subsonic speed," notes Air Force Magazine. As for range, the F–111A, "under the best of circumstances—that is, with nothing but two large fuel tanks slung under its wings and cruising at subsonic speeds—can be ferried 4,100 miles." With the depicted conventional bombload, leaving room only for internally stored fuel, range "couldn't exceed 2,500 miles." To go anywhere near as far as the B–52, it would have to be accompanied by a whole fleet of tankers, to provide airborne refueling. Thus an FB–111 based in the U.S. would all but nullify SAC as a means of piloted, surprise nonnuclear deterrence.

SITTING DUCK

Finally, even when carrying fighter-weight nuclear bombs, including three SRAM air-to-ground missiles (now only in the stage of contractor selection, and falling behind schedule), the FB–111 will command a range "well below 4,000 miles if the aircraft's high speed is used in the target area, since fuel consumption climbs rapidly at supersonic speeds." If it doesn't fly as fast as it can, of course, it's a sitting duck. Almost certainly, it won't make much difference: it would be one anyway.

Critics point out how cynically Secretary McNamara, in his FB–111 brainstorm (and the manner in which it's justified), has reacted to known and potentially disastrous problems long confronting the TFX program. As noted, this is, after all, the kind of plane the original F–111A "fighter-bomber" was supposed to be: one that could carry large payloads over great distances. As the F–111A, it didn't work out that way. So what the Air Force has been ordered to do is to take the

F-111A as it comes off the line today, and add the extra gear needed even to approach adequate performance.

Ironically, the add-on equipment is that already going onto the Navy's F-111B for carrier operation. Specifically, the FB-111 will have a beefed-up landing gear identical to (or at least virtually the same as) the Navy's. And it will have the Navy's special wing-tip extensions—necessary to give it greater "lift" surface for carrier landings and take-offs—to get the FB-111 off the ground. These and other additions will push the weight of the 90,000-pound F-111A up to an estimated 129,000 on the converted FB-111.

FLIGHTS OF FANCY

The laws of aerodynamics, however, do not yield easily to such flights of computer fancy. In short, what all this does to the plane's performance is give it a negative single-engine rate of climb. Translated, the FB-111, which like every TFX is a twin-engine affair, will be so heavy that if one engine conks out, the other won't be enough to keep it from crashing.

Finally, since the plane can't protect itself as a fighter should, it will need to be accompanied on a long-range strike mission not only by a fleet of tankers but also by an escort of fighter planes. Aside from the lack of "surprise" this flying armada would impart to SAC's traditional way of carrying out its missions, the plane's vulnerability to defenders would be multiplied many times. And Mr. McNamara's dream—one all-purpose plane, at great savings, or indeed at any cost—becomes, for American pilots of the seventies, literally a nightmare.

DANGERS SEEN

Even the top brass at the Pentagon recognize the dangers. They have referred continually to the FB-111 as an "interim" replacement for the B-58s and B-52s. However, Mr. McNamara, in testimony before Congress earlier this year, refused to accept their characterization. The FB-111, he held, will be not only a "successful" plane but a "permanent one" as well.

Ironically, not long afterward Dr. John Foster, Research Director in the Pentagon, proposed an "improved" version of the FB-111 superplane to SAC. (Guesses were that it required development of more powerful engines.) "The move is seen as an effort to bring (its) capabilities . . . closer to those of the advanced manned strategic aircraft which the Air Force seeks," commented the knowledgeable, and sometimes wry, Aviation Week. SAC, noting that such a development could not possibly bear fruit until years after the B-52s are phased out—and that even its next-generation AMSA could be available sooner—turned it down. But the idea said a great deal about the integrity of the Secretary of Defense.

Activities elsewhere in the Pentagon, finally, speak volumes on the subject. The U.S. is at war. Last week's accelerated attrition of American fighter and bomber aircraft pointed up anew the striking fact that the nation is unprepared, and destined to remain so for some time to come; urgent new orders for McDonnell's F-4, Ling-Temco-Vought's A-7, even Northrop's F-5A, have been placed, or soon will be. Meanwhile, the Tactical Air Command, as Gen. G. B. Disosway testified before the Senate Preparedness Subcommittee last month, is "down to bedrock."

YEARS AWAY

Its new fighter, the F-111A, should have been in combat by now; so, too should the carrier forces' F-111B (or some alternative). Instead, both remain years away from operational use, if indeed they ever do get into the fight; even then, they won't be as good as they might have been. The Navy is so pessimistic that, besides cutting TFX procurement to the bone (postponing it two years more), seriously is considering a swing-wing model of McDonnell's excellent little F-4, a plane which in its present design costs only $2 million, weighs half as much as the F-111B, and has proven to be our best fighter against the MIG-21 in Vietnam.

According to staff members, the Preparedness Subcommittee, headed by Senator JOHN STENNIS (D., Miss.), is waiting only until the 90th Congress has been safely elected and duly installed to probe fully this disaster in U.S. preparedness. The Permanent Subcommittee on Investigations, chaired by Senator JOHN MCCLELLAN (D., Ark.)—which brought most of the murky background of the TFX to the surface in an abortive investigation three years ago—likewise is known to be waiting, in a gesture to President Johnson (as well as to MCCLELLAN's own re-election campaign), until the first of the year to resume, at last, its own study of how so expensive and high-flown a development could have happened—and come to naught. And the House Armed Services Committee, under Rep. L. MENDEL RIVERS (D., S.C.), along with Senator RUSSELL's aforementioned counterpart in the upper chamber, already has delved deeply into the F-111 scandal. Throughout Congress, indeed, the powers-that-be are said to be chafing over the reliance on the man who has held the job of Secretary of Defense longer—and perhaps with more disastrous results—than any other in history.

[From the Memphis (Tenn.) Commercial Appeal, Aug. 8, 1966]

MCNAMARA'S TFX FOLLY

Defense Secretary Robert McNamara is getting to learn the hard way that a dollar saved sometimes can mean millions lost.

It was back in 1962 that Mr. McNamara and his Whiz Kids of the Defense Department came up with the idea of a dual-purpose military airplane—dubbed at that time the TFX (tactical fighter experimental)—which would involve a multibillion-dollar contract to supply one aircraft to both the Air Force and the Navy.

The big question at first was who was to get the contract. The rivalry narrowed to Boeing of Washington State and General Dynamics of Texas. The contract went to President Johnson's home state.

Some members of the Senate became interested when they began hearing reports that the contract had been let by the Defense Department despite the unanimous decision of the Pentagon Source Selection Board that the design submitted by Boeing was superior to that offered by General Dynamics, that the Boeing price was 100 million dollars lower than that bid by General Dynamics and might run as much as 416 million dollars lower, that Boeing had demonstrated on previous orders that it could produce for the military at prices even lower than it had estimated and that the memorandum of justification on which the contract was awarded was full of inaccuracies.

All these facts were brought to public light in the lengthy hearings which were held in 1963 by Senator JOHN L. MCCLELLAN'S Subcommittee on Investigations of the Government Operations Committee.

The Navy had objected strongly to the TFX, largely on the basis that a plane of such design would be too heavy to land safely on carriers, but there were many other objections raised to the chosen TFX design not the least of which was that it would be far more costly than the Boeing design.

Secretary McNamara rode roughshod over the objections of the military and the efforts of the Senate to review the matter. The Government, he claimed, would save a billion dollars on the General Dynamics design mainly because it offered 85 per cent "commonality" of parts on the Navy and Air Force versions while the Boeing design had "commonality" on only 60 per cent of its parts. McNamara's press agent explained "commonality" was simply Pentagonese for interchangeable parts.

Well, General Dynamics has been building some of these dual-purpose planes for testing.

The third model has been able to climb to only 48,000 feet—12,000 feet less than the Navy had specified for its purposes and 8,000 feet less than General Dynamics had promised.

And, as the Navy had predicted, the test model weighed 14,000 pounds more than the safe weight for carrier landings. In addition, it has flunked its tests as an outpost plane to intercept enemy aircraft because it lacks sufficient fuel capacity. The test planes could not even reach their destinations, much less "loiter" there on guard for the specified hour and a half.

On top of all this, Chairman GEORGE H. MAHON, Democrat of Texas, of the House Defense Appropriations Subcommittee has projected the cost of 23 TFX prototype production planes at 1.5 billion dollars, or 416 million more than had been estimated when the contract was awarded and costs still are climbing. The Navy already has scaled back procurement from 350 to less than 150 planes.

Senator MCCLELLAN, Democrat of Arkansas, has let it be known he plans to resume his committee investigations of the mess early next year.

But Secretary McNamara also has let it be known that he once again will defend his decision and claim the Government not only will save a billion dollars because of the "commonality" but that the figure will be closer now to 1.5 billion.

This despite the fact that the chairman of the Defense Source Selection Board disposed of that argument three years ago by conceding that the accepted design had more interchangeable parts but that they added 1,450 pounds to the already overweight design for the Navy craft. And he testified before the McClellan committee that the so-called interchangeable parts advantage lay mainly in parts which seldom need to be replaced because they get broken only when the plane is destroyed.

There has been a strong odor of politics in this whole defense contact and those who sniffed it three years ago are getting nauseated now by the stench that the tests have developed.

The defense secretary who is reputed to have a computer-like mind needs to be reprogrammed. And it is up to Congress to see to it that this job is done before the military is caught short of war-worthy aircraft as well as cotton pants.

[From the Seattle (Wash.) Times, Aug. 5, 1966]

TFX—AN ISSUE THAT WILL NOT DIE

The Air Force version is now called the F-111. The Navy version is the F-111B. Defense Secretary McNamara has proposed a strategic-bomber version called the FB-111.

But by whatever name, it's still TFX—a set of initials that McNamara simply cannot erase from the minds of concerned Congressmen and military officers.

The TFX, of course, is the advanced military aircraft that military leaders wanted The Boeing Co. to build, but which McNamara awarded to another company, partly because Boeing, in McNamara's judgment, lacked "cost realism."

Now, as The Wall Street Journal reported this week, "The billion dollars that McNamara claimed he would save by procuring essentially the same fighting plane for different missions seems to be evaporating."

The most-recent test model of the Navy version is 14,000 pounds overweight, and Navy officers believe the plane will not be able to carry out the primary mission for

which it was designed. The Navy may give up on the TFX altogether. As for the combined Air Force and Navy project, over all, The Journal reports:

"If spare engines, ground equipment and other extras are included, what had been conceived as a $7.1-billion program for 1,704 aircraft is now unofficially pegged at possibly $11 billion for 1,398 planes."

Small wonder that Senator McCLELLAN, Democrat of Arkansas, chairman of a Senate investigations subcommittee, has passed word that he intends to resume next winter the TFX hearings that so bedeviled McNamara in 1963.

The questions asked then will have even greater validity in the light of what has happened since.

AUTHORIZATION OF CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. JACKSON. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House on S. 3105.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3105) to authorize certain construction at military installations, and for other purposes which was to strike out all after the enacting clause and insert:

TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparations, appurtenances, utilities, and equipment for the following projects:

Inside the United States

United States Continental Army Command

(First Army)

Fort Devens, Massachusetts: Troop housing, $7,117,000.

Fort Dix, New Jersey: Training facilities, $1,914,000.

Fort Eustis, Virginia: Training facilities, maintenance facilities, and troop housing, $957,000.

Fort Knox, Kentucky: Training facilities, and utilities, $2,536,000.

United States Military Academy, West Point, New York: Training facilities, storage facilities, community facilities, and utilities, $15,747,000.

(Third Army)

Armed Forces Examining Entrance Station, Montgomery, Alabama Administrative facilities, $235,000.

Fort Campbell, Kentucky: Operational facilities, $355,000.

Fort Gordon, Georgia: Troop housing, $12,630,000.

Fort Jackson, South Carolina: Training facilities, and utilities, $4,072,000.

Fort Rucker, Alabama: Operational facilities, $318,000.

(Fourth Army)

Fort Bliss, Texas: Maintenance facilities, and research, development, and test facilities, $1,636,000.

Fort Chaffe, Arkansas: Utilities, $225,000.

Fort Hood, Texas: Training facilities, and utilities, $1,871,000.

Fort Polk, Louisiana: Training facilities, $861,000.

Fort Wolters, Texas: Training facilities, $1,026,000.

(Fifth Army)

Fort Riley, Kansas: Troop housing, $3,100,000.

(Sixth Army)

Fort Ord, California: Training facilities, $596,000.

United States Army Materiel Command

Atlanta Army Depot, Georgia: Utilities, $237,000.

Charleston Army Depot, South Carolina: Utilities, $200,000.

Edgewood Arsenal, Maryland: Research, development, and test facilities, and utilities, $3,293,000.

Frankford Arsenal, Pennsylvania: Supply facilities, $249,000.

Letterkenny Army Depot, Pennsylvania: Supply facilities, $193,000.

Natick Laboratories, Massachusetts: Research, development, and test facilities, $109,000.

Picatinny Arsenal, New Jersey: Research, development, and test facilities, $620,000.

Redstone Arsenal, Alabama: Research, development, and test facilities, $600,000.

Rock Island Arsenal, Illinois: Research, development, and test facilities, $3,246,000.

Sacramento Army Depot, California: Supply facilities, $31,000.

Sharpe Army Depot, California: Maintenance facilities, and supply facilities, $367,000.

Tooele Army Depot, Utah: Supply facilities, $457,000.

Watervliet Arsenal, New York: Research, development, and test facilities, $955,000.

White Sands Missile Range, New Mexico: Research, development, and test facilities, $2,336,000.

United States Army Security Agency

Vint Hill Farms Station, Virginia: Operational facilities, $145,000.

United States Army Strategic Communications Command

Fort Lewis, Washington: Maintenance facilities, $916,000.

Fort Ritchie, Maryland: Utilities, $791,000.

United States Army Alaska

Fort Richardson, Alaska: Operational facilities, supply facilities, and utilities, $1,814,000.

Fort J. M. Wainwright, Alaska: Operational facilities, and utilities, $912,000.

Outside the United States

United States Army Pacific

Okinawa: Utilities, $619,000.

United States Army Forces, Southern Command

Panama Canal Zone: Operational facilities, and utilities, $2,011,000.

United States Army Materiel Command

Kwajalein Atoll: Research, development, and test facilities, $31,333,000.

United States Army Security Agency

Various locations: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $1,970,000.

United States Army Strategic Communications Command

Various locations: Operational facilities, $208,000.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $43,000,000.

SEC. 103. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1967, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 104. (a) Public Law 85-241, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows: (1) Under the subheading "TECHNICAL SERVICES FACILITIES (Ordnance Corps)", with respect to "Anniston Ordnance Depot, Alabama", strike out "$2,015,000" and insert in place thereof "$2,881,000".

(b) Public Law 85-241, as amended, is amended by striking out in clause (1) of section 502, the amounts "$119,330,000" and "$296,809,000" and inserting in place thereof "$120,196,000" and "$297,675,000", respectively.

SEC. 105. (a) Public Law 87-554, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows: (1) Under the subheading "TECHNICAL SERVICES FACILITIES (Ordnance Corps)", with respect to "Letterkenny Ordnance Depot, Pennsylvania", strike out "$411,000" and insert in place thereof "$466,000".

(b) Public Law 87-554, as amended, is amended by striking out in clause (1) of section 602 "$102,315,000" and "$150,824,000" and inserting in place thereof "$102,370,000" and "$150,879,000", respectively.

SEC. 106. (a) Public Law 88-174, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the subheading "CONTINENTAL ARMY COMMAND (Second Army)", with respect to "Fort Belvoir, Virginia", strike out "$1,083,000" and insert in place thereof "$1,213,000".

(2) With respect to "section 102", strike out "$8,900,000" and insert in place thereof "$9,112,000".

(b) Public Law 88-174, as amended, is amended by striking out in clause (1) of section 602 "$155,696,000", "$8,900,000", and "$200,353,000" and inserting in place thereof "$155,826,000", "$9,112,000", and "$200,695,000", respectively.

SEC. 107. (a) Pubic Law 88-390, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the subheading "CONTINENTAL ARMY COMMAND (Second Army)", with respect to "Fort Belvoir, Virginia", strike out "$3,564,000" and insert in place thereof "$4-113,000".

(2) Under the subheading "CONTINENTAL ARMY COMMAND (Section Army)", with respect to "Carlisle Barracks, Pennsylvania", strike out "$5,244,000" and insert in place thereof "$5,808,000".

(3) Under the subheading "CONTINENTAL ARMY COMMAND (Second Army)", with respect to "Fort Knox, Kentucky", strike out "$7,778,000" and insert in place thereof "$8,566,000".

(4) Under the subheading "CONTINENTAL ARMY COMMAND (Third Army)", with respect to "Fort Benning, Georgia", strike out "$5,452,000" and insert in place there "$6,483,000".

(5) Under the subheading "CONTINENTAL ARMY COMMAND (Fifth Army)", with respect to "Fort Benjamin Harrison, Indiana", strike out "$1,652,000" and insert in place thereof "$1,836,000".

(6) Under the subheading "CONTINENTAL ARMY COMMAND (Sixth Army)", with respect to "Presidio of San Francisco, California", strike out "$283,000" and insert in place thereof "$349,000".

(7) Under the subheading "ARMY COMPONENT COMMAND (Alaska Command Area)", with respect to "Fort Richardson, Alaska", strike out "$767,000" and insert in place thereof "$882,000".

(b) Public Law 88-390, as amended, is amended by striking out in clause (1) of section 602, "$259,697,000" and "$300,758,000", and inserting "$252,994,000" and "$304,055,000", respectively.

SEC. 108. (a) Public Law 89-188 is amended under heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the subheading "CONTINENTAL ARMY COMMAND, LESS ARMY MATERIEL COMMAND (First Army)", with respect to "Fort Devens, Massachusetts", strike out "$11,008,000" and insert in place thereof "$11,964,000".

(2) Under the subheading "ARMY MATERIEL COMMAND", with respect to "Jefferson Proving Ground, Indiana", strike out "$52,000" and insert in place thereof "$71,000".

(3) Under the subheading "ARMY MATERIEL COMMAND", with respect to "Sharpe Army Depot, California", strike out "$175,000" and insert in place thereof "$261,000".

(b) Public Law 89-188 is amended by striking out in clause (1) of section 602, "$252,661,000 and "$309,522,000", and inserting "$253,722,000" and "$310,583,000", respectively.

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent, or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

Inside the United States

Naval Ship Systems Command

(Naval shipyards)

Naval Shipyard, Boston, Massachusetts: Operational facilities, $11,397,000.

Naval Shipyard, Bremerton, Washington: Operational facilities maintenance, facilities, and utilities, $1,928,000.

Naval Shipyard, Charleston, South Carolina: Maintenance facilities, $535,000.

Naval Shipyard, Long Beach, California: Operational facilities, and maintenance facilities, $186,000.

Naval Shipyard, Norfolk, Virginia: Operational facilities, and maintenance facilities, $1,628,000.

Naval Shipyard, Pearl Harbor, Oahu, Hawaii: Operational facilities, and maintenance facilities, $940,000.

Naval Shipyard, Philadelphia, Pennsylvania: Operational facilities, and maintenance facilities, $1,368,000.

Naval Shipyard, Portsmouth, New Hampshire: Operational facilities, and utilities, $295,000.

Naval Shipyard, San Francisco Bay, California: Maintenance facilities at Hunters Point and on Mare Island, $2,782,000.

(Research, development, test, and evaluation stations)

Navy Marine Engineering Laboratory, Annapolis, Maryland: Research, development, and test facilities, $600,000.

David Taylor Model Basin, Carderock, Maryland: Research, development, and test facilities, $2,124,000.

Fleet Base Facilities

Naval Station, Brooklyn, New York: Operational facilities, administrative facilities, and utilities, $1,700,000.

Naval Station, Long Beach, California: Operational facilities, and utilities, $1,658,000.

Naval Submarine Base, New London, Connecticut: Operational facilities, and troop housing, $2,377,000.

Headquarters Support Activity, New Orleans, Louisiana: Operational facilities, and administrative facilities, $500,000.

Naval Station, Newport, Rhode Island: Troop housing, $1,124,000.

Naval Station, Pearl Harbor, Oahu, Hawaii: Troop housing, $719,000.

Naval Submarine Base, Pearl Harbor, Oahu, Hawaii: Troop housing, $1,346,000.

Naval Station, Philadelphia, Pennsylvania: Troop housing, $1,353,000.

Naval Air Systems Command

(Naval air training stations)

Naval Auxiliary Air Station, Chase Field, Texas: Maintenance facilities, $93,000.

Naval Air Station, Memphis, Tennessee: Training facilities, and troop housing, $3,882,000.

Naval Air Station, Pensacola, Florida: Real estate, $377,000.

Naval Auxiliary Air Station, Saufley Field, Florida: Utilities, $44,000.

Naval Auxiliary Air Station, Whiting Field, Florida: Troop housing, $800,000.

(Field support stations)

Naval Station, Adak, Alaska: Maintenance facilities, and utilities, $2,440,000.

Naval Air Station, Albany, Georgia: Operational and training facilities, and maintenance facilities, $2,100,000.

Naval Air Station, Cecil Field, Florida: Maintenance facilities, and troop housing, $619,000.

Naval Air Station, Jacksonville, Florida: Operational facilities, and maintenance facilities, $1,706,000.

Naval Air Station, Lakehurst, New Jersey: Maintenance facilities, $69,000.

Naval Air Station, Lemoore, California: Maintenance facilities, and utilities, $251,000.

Naval Station, Mayport, Florida: Troop housing, $280,000.

Naval Air Station, Norfolk, Virginia: Maintenance facilities, $2,512,000.

Naval Air Station, North Island, California: Troop housing, $1,920,000.

Naval Air Station, Oceana, Virginia: Operational and training facilities, maintenance facilities, and troop housing, $1,466,000.

Naval Auxiliary Air Station, Ream Field, California: Operational facilities, maintenance facilities, and ground improvements, $1,816,000.

Naval Air Station, Whidbey Island, Washington: Medical facilities, $1,674,000.

(Marine Corps air stations)

Marine Corps Air Station, Beauford, South Carolina: Supply facilities, $491,000.

Marine Corps Air Station, Cherry Point, North Carolina: Training facilities, and maintenance facilities, $572,000.

Marine Corps Air Facility, New River, North Carolina: Troop housing, $486,000.

Marine Corps Air Facility, Santa Ana, California: Operational facilities, $406,000.

(Research, development, test, and evaluation stations)

Naval Ordnance Test Station, China Lake, California: Research, development, and test facilities, $198,000.

Naval Ordnance Labortary, Corona, California: Research, development, and test facilities, $743,000.

Naval Aerospace Recovery Facility, El Centro, California: Research, development, and test facilities, $430,000.

Naval Air Test Facility, Lakehurst, New Jersey: Operational facilities, $691,000.

Naval Air Test Center, Patuxent River, Maryland: Maintenance facilities, and supply facilities, $283,000.

Pacific Missile Range, Point Mugu, California: Research, development, and test facilities on San Nicolas Island, $343,000.

Naval Ordnance Systems Command

(Fleet readiness stations)

Naval Ammunition Depot, Bangor, Washington: Operational facilities, $189,000.

Naval Weapons Station, Charleston, South Carolina: Maintenance facilities, $260,000.

Naval Propellant Plant, Indian Head, Maryland: Production facilities, $97,000.

Naval Torpedo Station, Keyport, Washington: Maintenance facilities, $1,274,000.

(Research, Development, Test, and Evaluation Stations)

Naval Underwater Ordnance Station, Newport, Rhode Island: Utilities and ground improvements, $86,000.

Naval Ordnance Laboratory, White Oak, Maryland: Research, development, and test facilities, $3,847,000.

Naval Supply Systems Command

Naval Oceanographic Distribution Office, Ogden, Utah: Administrative facilities, $236,000.

Naval Supply Center, Puget Sound, Washington: Administrative facilities; and at the Seattle Annex, administrative facilities and community facilities, $940,000.

Navy Fuel Depot, San Pedro, California: Supply facilities, $111,000.

Marine Corps Facilities

Marine Corps Base, Camp Pendleton, California: Maintenance facilities, administrative facilities, troop housing, and utilities, $3,166,000.

Marine Corps Recruit Depot, Parris Island, South Carolina: Real estate, $168,000.

Marine Corps Recruit Depot, San Diego, California: Troop housing, $781,000.

Marine Corps Base, Twentynine Palms, California: Operational facilities, and supply facilities, $1,042,000.

Service School Facilities

Naval Academy, Annapolis, Maryland: Utilities, $2,803,000.

Fleet Anti-Air Warfare Training Center, Dam Neck, Virginia: Training facilities, $2,128,000.

Naval Training Center, Great Lakes, Illinois: Training facilities, $24,000.

Fleet Training Center, Newport, Rhode Island: Utilities, $167,000.

Naval Training Center, location to be determined: Training facilities, medical facilities, troop housing, and utilities and ground improvements, $14,900,000.

Fleet Anti-Submarine Warfare Training Facility, Pearl Harbor, Oahu, Hawaii: Training facilities, $452,000.

Naval Training Center, San Diego, California: Troop housing, and utilities, $5,727,000.

Nuclear Weapons Training Center, Pacific, San Diego, California: Training facilities, $44,000.

Medical Facilities

Naval Hospital, Chelsea, Massachusetts: Hospital and medical facilities, $9,300,000.

Naval Hospital, Memphis, Tennessee: Hospital and medical facilities, and troop housing, $6,847,000.

Naval Submarine Medical Center, New London, Connecticut: Hospital and medical facilities, $4,957,000.

Naval Hospital, Portsmouth, Virginia: Community facilities, $48,000.

Communication Facilities

Naval Communication Station, Adak, Alaska: Troop housing, $1,197,000.

Naval Radio Station Northwest, Virginia: Utilities, $132,000.

Various locations: Operational facilities, $1,057,000.

Office of Naval Research Facilities

Naval Arctic Research Laboratory, Barrow, Alaska: Research, development, and test facilities, administrative facilities, troop housing and community facilities, and utilities, $3,000,000.

Naval Facilities Engineering Command

Naval Construction Battalion Center, Davisville, Rhode Island: Operational facilities, $66,000.

Navy Public Works Center, Newport, Rhode Island: Ground improvements, $100,000.

Outside the United States

Naval Ship Systems Command

Atlantic Undersea Test and Evaluation Center, West Indies: Research, development, and test facilities, supply facilities, troop housing, and utilities and ground improvements, $1,371,000.

Naval Air Systems Command

Naval Air Station, Agana, Guam, Mariana Islands: Maintenance facilities, and community facilities, $159,000.

Naval Air Station, Cubi Point, Republic of the Philippines: Troop housing, $530,000.

Naval Air Station, Guantanamo Bay, Cuba: Troop housing, $2,333,000.

Naval Station, Keflavik, Iceland: Operational facilities, $203,000.

Naval Air Facility, Naples, Italy: Operational facilities, $37,000.

Naval Station, Roosevelt Roads, Puerto Rico: Troop housing, $1,142,000.

Marine Corps Facilities

Camp Smedley D. Butler, Okinawa: Supply facilities, administrative facilities, and community facilities, $1,056,000.

Medical Facilities

Naval Hospital, Guantanamo Bay, Cuba: Supply facilities, and medical facilities, $279,000.

Naval Hospital, Roosevelt Roads, Puerto Rico: Hospital and medical facilities, and troop housing, $3,970,000.

Communication Facilities

Naval Communication Station, Nea Makri, Greece: Troop housing and community facilities, $363,000.

Naval Communication Station, North West Cape, Australia: Operational facilities, and troop housing, $708,000.

Naval Communication Station, San Miguel, Republic of the Philippines: Troop housing, $476,000.

Naval Radio Station, Totsuka, Japan: Operational facilities, $576,000.

Various locations: Operational facilities, $715,000.

SEC. 202. The Secretary of the Navy may establish or develop classified naval installations and facilities by acquiring, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $13,788,000.

SEC. 203. The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Navy, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1967, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 204. (a) Public Law 88–174, as amended, is amended in section 201 under the heading "Inside the United States" and subheading "naval weapons facilities (Field Support Stations)", with respect to the Naval Air Station, Cecil Field, Florida, and the Naval Air Station, Norfolk, Virginia, by striking out "$150,000" and "$3,242,000", respectively, and inserting in place thereof "$182,000" and "$3,640,000", respectively.

(b) Public Law 88–174, as amended, is amended by striking out in clause (2) of section 602 "$115,601,000" and "$202,500,000", and inserting in place thereof "$116,031,000" and "$202,930,000", respectively.

SEC. 205. (a) Public Law 89–188 is amended in section 201 under the heading "Inside the United States" and subheading "Bureau of Ships Facilities", with respect to the Naval Shipyard, Boston, Massachusetts, by striking out "$5,105,000" and inserting in place thereof "$7,998,000".

(b) Public Law 89–188 is amended by striking out in clause (2) of section 602 "$225,877,000" and "$311,412,000", and inserting in place thereof "$228,770,000" and "$314,305,000", respectively.

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects.

Inside the United States

Air Defense Command

Duluth Municipal Airport, Duluth, Minnesota: Troop housing, $260,000.

Hamilton Air Force Base, San Rafael, California: Utilities, $422,000.

McChord Air Force Base, Tacoma, Washington: Operational facilities and maintenance facilities, $528,000.

NORAD, Headquarters, Colorado Springs, Colorado: Operational facilities, $3,797,000.

Perrin Air Force Base, Sherman, Texas: Maintenance facilities, $61,000.

Peterson Field, Colorado Springs, Colorado: Maintenance facilities, $53,000.

Stewart Air Force Base, Newburgh, New York: Operational facilities and utilities, $154,000.

Tyndall Air Force Base, Panama City, Florida: Maintenance facilities, troop housing, and community facilities, $1,280,000.

Air Force Logistics Command

Griffiss Air Force Base, Rome, New York: Research, development, and test facilities, $225,000.

Hill Air Force Base, Ogden, Utah: Operational facilities, maintenance facilities, research, development and test facilities, supply facilities, administrative facilities, troop housing, and utilities, $1,504,000.

Kelly Air Force Base, San Antonio, Texas: Operational facilities, administrative facilities and utilities, $450,000.

McClellan Air Force Base, Sacramento, California: Operational facilities, maintenance facilities, and administrative facilities, $2,281,000.

Robins Air Force Base, Macon, Georgia: Maintenance facilities, $154,000.

Tinker Air Force Base, Oklahoma City, Oklahoma: Maintenance facilities, troop housing, and utilities, $2,615,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Operational facilities, research, development, and test facilities, administrative facilities, troop housing, and utilities, $5,100,000.

Air Force Systems Command

Arnold Engineering Development Center, Tullahoma, Tennessee: Operational facilities, research, development, and test facilities, $2,835,000.

Edwards Air Force Base, Muroc, California: Research, development, and test facilities, $3,366,000.

Eglin Air Force Base, Valparaiso, Florida: Training facilities, maintenance facilities, research, development, and test facilities, supply facilities, and hospital facilities, $6,277,000.

Eglin Auxiliary Airfield Number 9, Valparaiso, Florida: Maintenance facilities and utilities, $705,000.

Holloman Air Force Base, Alamogordo, New Mexico: Operational facilities, maintenance facilities, research development, and test facilities, troop housing, and community facilities, $4,575,000.

Los Angeles Air Force Station, Los Angeles, California: Administrative facilities, $195,000.

Patrick Air Force Base, Cocoa, Florida: Operational facilities and supply facilities, $484,000.

Various locations: Operational facilities, troop housing, and utilities, $1,192,000.

Air Training Command

Chanute Air Force Base, Rantoul, Illinois: Training facilities and utilities, $586,000.

Craig Air Force Base, Selma, Alabama: Maintenance facilities, $226,000.

Laredo Air Force Base, Laredo, Texas: Maintenance facilities, $220,000.

Laughlin Air Force Base, Del Rio, Texas: Operational and training facilities and maintenance facilities, $675,000.

Lowry Air Force Base, Denver, Colorado: Training facilities and utilities, $2,615,000.

Mather Air Force Base, Sacramento, California: Operational and training facilities, maintenance facilities and troop housing, $2,359,000.

Moody Air Force Base, Valdosta, Georgia: Maintenance facilities, $225,000.

Randolph Air Force Base, San Antonio, Texas: Maintenance facilities, $236,000.

Reese Air Force Base, Lubbock, Texas: Operational and training facilities and maintenance facilities, $546,000.

Sheppard Air Force Base, Wichita Falls, Texas: Operational and training facilities, maintenance facilities, and troop housing, $1,935,000.

Vance Air Force Base, Enid, Oklahoma: Operational facilities and maintenance facilities, $1,169,000.

Webb Air Force Base, Big Spring, Texas: Maintenance facilities, $226,000.

Williams Air Force Base, Chandler, Arizona: Maintenance facilities, $331,000.

Alaskan Air Command

Eielson Air Force Base, Fairbanks, Alaska: Operational facilities and utilities, $1,655,000.

Elmendorf Air Force Base, Anchorage, Alaska: Operational facilities and utilities, $1,265,000.

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, $1,200,000.

Headquarters Command

Andrews Air Force Base, Camp Springs, Maryland: Operational facilities, maintenance facilities, and utilities, $1,033,000.

Military Airlift Command

Charleston Air Force Base, Charleston, South Carolina: Operational facilities, $212,000.

McGuire Air Force Base, Wrightstown, New Jersey: Maintenance facilities, $1,920,000.

Norton Air Force Base, San Bernardino, California: Operational and training facilities, maintenance facilities, supply facilities, and troop housing, $7,706,000.

Travis Air Force Base, Fairfield, California: Operational facilities, $514,000.

Pacific Air Force

Hickam Air Force Base, Honolulu, Hawaii: Supply facilities, $193,000.

Strategic Air Command

Barksdale Air Force Base, Shreveport, Louisiana: Maintenance facilities, troop housing and utilities, $1,263,000.

Bunker Hill Air Force Base, Peru, Indiana: Operational facilities, $106,000.

Carswell Air Force Base, Fort Worth, Texas: Training facilities and maintenance facilities, $1,231,000.

Castle Air Force Base, Merced, California: Maintenance facilities, supply facilities and troop housing, $2,203,000.

Columbus Air Force Base, Columbus, Mississippi: Training facilities and utilities, $494,000.

Davis-Monthan Air Force Base, Tucson, Arizona: Maintenance facilities and utilities, $591,000.

Ellsworth Air Force Base, Rapid City, South Dakota: Maintenance facilities, $397,000.

Grand Forks Air Force Base, Grand Forks, North Dakota: Operational facilities, maintenance facilities, and troop housing, $941,000.

Little Rock Air Force Base, Little Rock, Arkansas: Operational facilities and supply facilities, $361,000.

March Air Force Base, Riverside, California: Operational facilities, maintenance facilities, supply facilities, and troop housing, $3,240,000.

McCoy Air Force Base, Orlando. Florida: Maintenance facilities, $199,000.

Minot Air Force Base, Minot, North Dakota: Troop housing, $440,000.

Offutt Air Force Base, Omaha, Nebraska: Administrative facilities and utilities, $762,000.

Vandenberg Air Force Base, Lompoc, California: Operational facilities, community facilities, and utilities, $622,000.

Westover Air Force Base, Chicopee Falls, Massachusetts: Troop housing and utilities, $350,000.

Wurtsmith Air Force Base, Oscoda, Michigan: Operational facilities and troop housing, $358,000.

Tactical Air Command

Bergstrom Air Force Base, Austin, Texas: Operational and training facilities, maintenance facilities, administrative facilities, and troop housing, $4,580,000.

Cannon Air Force Base, Clovis, New Mexico: Maintenance facilities, troop housing, and real estate, $2,147,000.

England Air Force Base, Alexandria, Louisiana: Operational and training facilities, maintenance facilities, and utilities, $2,187,000.

George Air Force Base, Victorville, California: Training facilities and administrative facilities, $598,000.

Langley Air Force Base, Hampton, Virginia: Utilities, $468,000.

Luke Air Force Base, Phoenix, Arizona: Maintenance facilities, $203,000.

MacDill Air Force Base, Tampa, Florida: Maintenance facilities, $1,006,000.

McConnell Air Force Base, Wichita, Kansas: Training facilities and real estate, $609,000.

Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Operational and training facilities and maintenance facilities, $371,000.

Nellis Air Force Base, Las Vegas, Nevada: Training facilities and maintenance facilities, $1,165,000.

Shaw Air Force Base, Sumter, South Carolina: Maintenance facilities, $473,000.

United States Air Force Academy

United States Air Force Academy, Colorado Springs, Colorado: Troop housing and utilities, $10,758,000.

Aircraft Control and Warning System

Various locations: Maintenance facilities, supply facilities, medical facilities, troop housing, community facilities, utilities, and real estate, $3,713,000.

United States Air Force Security Service

Goodfellow Air Force Base, San Angelo, Texas: Community facilities, $493,000.

Outside the United States

Air Defense Command

Various locations: Operational facilities, $238,000.

Military Airlift Command

Various locations: Utilities, $396,000.

Pacific Air Force

Various locations: Operational facilities, supply facilities, troop housing, community facilities, and utilities, $6,189,000.

Strategic Air Command

Andersen Air Force Base, Guam: Operational facilities, $22,000.

Ramey Air Force Base, Puerto Rico: Real estate, $63,000.

Various locations: Maintenance facilities and community facilities, $1,303,000.

United States Air Forces in Europe

Various locations: Operational and training facilities, maintenance facilities, supply facilities, troop housing, and utilities, $3,513,000.

United States Air Force Southern Command

Howard Air Force Base, Canal Zone: Operational facilities and utilities, $1,244,000.

United States Air Force Security Service

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing and utilities, $1,123,000.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $95,447,000.

SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by (a) unforseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided,* That the Secretary of the Air Force or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section including those real estate actions, pertaining thereto. This authorization will expire as of September 30, 1967, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to to this section prior to that date.

SEC. 304. (a) Public Law 87–554, as amended, is amended in section 301 under the heading "INSIDE THE UNITED STATES" and subheading "TACTICAL AIR COMMAND", with respect to Nellis Air Force Base, Las Vegas, Nevada, by striking out "$3,136,000" and inserting in place thereof "$3,416,000".

(b) Public Law 87–554, as amended, is amended by striking out in clause (3) of section 602 the amounts "$131,679," and "$743,407,000" and inserting in place thereof "$131,959,000" and "$743,687,000", respectively.

SEC. 305. (a) Public Law 88–390 is amended in section 301 under the heading "INSIDE THE UNITED STATES" and subheading "MILITARY AIR TRANSPORT SERVICE", with respect to McGuire Air Force Base, Wrightstown, New Jersey, by striking out "$687,000" and inserting in place thereof "$786,000".

(b) Public Law 88–390 is amended by striking out in clause (3) of section 602 the amounts "$165,228,000" and "$303,348,000" and inserting in place thereof "$165,327,000" and "$303,447,000", respectively.

TITLE IV

SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for defense agencies for the following projects:

Inside the United States

Defense Atomic Support Agency

Armed Forces Radiobiology Research Institute, Bethesda, Maryland: Research, development, and test facilities, $1,890,000.

Defense Communications Agency

Headquarters, Defense Communications Agency, Building 12, Navy Department Service Center, Arlington, Virginia: Utilities, $290,000.

Defense Supply Agency

Defense Construction Supply Center, Columbus, Ohio: Supply facilities, $59,000.

Defense Depot, Memphis, Tennessee: Supply facilities, $171,000.

Defense Personnel Support Center, Philadelphia, Pennsylvania: Research, development, and test facilities, $257,000.

Defense Depot, Tracy, California: Supply facilities, $50,000.

Defense Electronics Supply Center, Dayton, Ohio: Administrative facilities, $428,000.

National Security Agency

Fort Meade, Maryland: Troop housing, $550,000.

Kent Island, Maryland: Research development, and test facilities, $30,000.

Outside the United States

Defense Atomic Support Agency

Johnston Island: Research, development, and test facilities, $1,750,000.

National Security Agency

Frankfurt Post, Tanus District, Germany: Operational facilities, $400,000.

TITLE V

Military family housing

SEC. 501. The first sentence of section 515 of Public Law 84–161 (69 Stat. 352), as amended, is amended by striking out "1966 through and including 1967" and inserting in lieu thereof "1967 and 1968".

SEC. 502. Section 1594j of title 42, United States Code, is amended at subsection (a) by deleting the period at the end thereof, substituting a colon therefor, and adding the following: *"Provided,* That notwithstanding the fair rental value of such quarters, or of any other housing facilities under the jurisdiction of a department or agency of the United States, no rental charge for occupancy of family units designated as other than public quarters shall be made against the basic allowance for quarters of a member of a uniformed service in excess of 75 per centum of such allowance, except that in no event shall the net rental value charged to the member's basic allowance for quarters be less than the costs of maintaining and operating the housing."

SEC. 503. Section 406(a) of the Act of August 30, 1957, 71 Stat. 556 (Public Law 85-241), as amended, is amended to read as follows: "Notwithstanding the provisions of any other law, and effective July 1, 1958, no family housing units shall be contracted for or acquired at or in support of military installations or activities, unless the actual number of units involved has been specifically authorized by an annual military construction authorization Act except (1) housing units acquired pursuant to the provisions of section 1594a of title 42, United States Code; (2) rental guarantee family housing authorized under section 507 of the Act of November 7, 1963 (77 Stat. 307, 326) as amended by section 505 of the Act of September 16, 1965 (79 Stat. 793, 814): *Provided,* That the aggregate amount guaranteed under such agreements entered into during the fiscal years 1966 and 1967 shall not exceed such amount as may be applicable to five thousand units; and (3) housing units leased for terms of one year, whether renewable or not, or for terms of not more than five years pursuant to the provisions of section 2675 of title 10, United States Code."

SEC. 504. There is authorized to be appropriated for use by the Secretary of Defense or his designee as authorized by law for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payments to the Commodity Credit Corporation and mortgage insurance premiums authorized under sections 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $510,236,000.

TITLE VI

General provisions

SEC. 601. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 602. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V shall not exceed—

(1) for title I: Inside the United States, $72,667,000; outside the United States, $36,141,000; section 102, $43,000,000; or a total of $151,808,000.

(2) for title II: Inside the United States, $126,398,000; outside the United States, $13,918,000; section 202, $13,788,000; or a total of $154,104,000.

(3) for title III: Inside the United States, $107,889,000; outside the United States, $14,091,000; section 302, $95,447,000; or a total of $217,427,000.

(4) for title IV: A total of $5,875,000.

(5) for title V: Military family housing, a total of $510,236,000.

SEC. 603. Any of the amounts named in titles I, II, III, and IV of this Act, may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States (other than Alaska) and by 10 per centum for projects outside the United States or in Alaska, if he determines in the case of any particular project that such increase (1) is required for the sole purpose of meeting unusual variations in cost arising in connection with that project, and (2) could not have been reasonably anticipated at the time such project was submitted to the Congress. However, the total costs of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

SEC. 604. Whenever—

(1) the President determines that compliance with section 2313(b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

SEC. 605. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Naval Facilities Engineering Command, Department of the Navy, unless the Secretary of Defense or his designee determines that because such jurisdiction and supervisions is wholly impracticable such contracts should be executed under the jurisdiction and supervision of another department or Government agency, and, shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. Regulations issued by the Secretary of Defense implementing the provisions of this section shall provide the department or agency requiring such construction with the right to select either the Corps of Engineers, Department of the Army, or the Naval Facilities Engineering Command, Department of the Navy, as its construction agent, providing that under the facts and circumstances that exist at the time of the selection of the construction agent, such selection will not result in any increased cost to the United States. The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

SEC. 606. (a) Notwithstanding the repeal provisions of section 606 of the Act of September 16, 1965, Public Law 89-188 (79 Stat. 815), all authorizations for military public works (other than family housing), contained in the Act of August 1, 1964, Public Law 88-390 (78 Stat. 363), and all such authorizations contained in the Act of September 16, 1965, Public Law 89-188, including prior authorizations extended by section 606 (a)(3) of said Act of September 16, 1965, to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, and not superseded or otherwise modified, are hereby authorized, and shall remain in full force and effect until October 1, 1968.

(b) Notwithstanding the provisions of section 606 of the Act of September 16, 1965, Public Law 89-188 (79 Stat. 815), effective October 1, 1968, all authorizations for construction of family housing which are contained in this Act or the Act of September 16, 1965, Public Law 89-188, including prior authorizations for construction of family housing saved from repeal by the provisions of section 606(b) of such Act of September 16, 1965, are repealed except the authorization for family housing projects as to which funds have been obligated for construction contracts or land acquisitions or manufactured structural component contracts in whole or in part before such date.

SEC. 607. Notwithstanding any other provision of law, none of the military public works authorized by title I, II, III, or IV of this Act may be placed under contract until such time as those military public works previously authorized by law, and for which funds have been appropriated and for which the authorization has been extended by section 606 of this Act, have been placed under contract. The foregoing provision shall not apply to military public works previously authorized by law which have heretofore been deferred and which are certified by the Secretary of Defense to be no longer current and necessary to the mission of the military department or military installation concerned. Certifications by the Secretary of Defense under this section shall be made in writing to the Committees on Armed Services of the Senate and House of Representatives.

Notwithstanding the foregoing provisions of this section, any military public work authorized by title I, II, III, or IV of this Act may be placed under contract if the Secretary of Defense determines and certifies in writing to the Committees on Armed Services of the Senate and House of Representatives that such project is (1) urgently required in the interests of national defense, and (2) more essential to the interests of national defense than those military public works previously authorized by law, described in the first sentence of this section.

SEC. 608. The last sentence of section 2674(a) of title 10, United States Code, as amended, is amended by changing the figure "$15,000" to "$25,000".

SEC. 609. None of the authority contained in titles I, II, III, and IV of this Act shall be deemed to authorize any building construction project inside the United States (other than Alaska) at a unit cost in excess of—

(1) $32 per square foot for cold-storage warehousing;

(2) $8 per square foot for regular warehousing;

(3) $3,450 per man for permanent barracks;

(4) $10,500 per man for bachelor officer quarters; unless the Secretary of Defense or his designee determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable.

SEC. 610. (a) On and after the date of enactment of this Act all construction authorized in annual military construction authorization Acts shall be designed using techniques developed by the Office of Civil Defense to maximize fallout protection, where such can be done without impairing the purpose for which the construction is authorized or the effectiveness of the structure, unless exempted from this requirement under regulations prescribed by the Secretary of Defense or his designee.

(b) The Secretary of Defense shall make appropriate provision for the utilization of

technical design and construction methods in the preparation of design and construction plans and in construction under this Act, to assure carrying out the purposes of this section; and for such purposes expenditures on individual projects shall not exceed one per centum of the amount authorized for that project.

SEC. 611. Section 607(b) of Public Law 89-188 is amended by deleting the words "July 1, 1967" and inserting in lieu thereof the words "July 1, 1972" and adding at the end thereof "nor shall any of this land be set aside or committed by the Department of Defense for use by any other agency of the Federal Government other than the Department of Defense. However, the Department of Defense may enter into a leasing arrangement with the Federal Aviation Agency for a period not to exceed five years and subject to a one-year revocation provision whereby the Federal Aviation Agency or its designee may operate the runways, taxiways, hangers, parking aprons, and other related facilities at the Bolling-Anacostia complex for appropriate aviation purposes. The said lease shall not include facilities which are required for military activities. Such leasing arrangements shall be reported to the Committees on Armed Services of the Senate and the House of Representatives."

SEC. 612. In the case of any public works project for which advance planning, construction design and architectural services are estimated to cost $50,000 or more, which are to be funded from moneys hereafter appropriated for such purposes pursuant to authority of section 723 of title 31, U.S.C., the Secretary of Defense shall describe the project and report the estimated cost of such services not less than 30 days prior to initial obligation of funds therefor to the Committees on Armed Services of the Senate and House of Representatives.

SEC. 613. Section 611 of the Military Construction Authorization Act, 1966 (79 Stat. 818), is amended to read as follows:

"(a) No camp, post, station, base, yard, or other installation under the authority of the Department of Defense shall be closed or abandoned until the expiration of thirty days of continuous session of the Congress following the date on which the Secretary of Defense or the Secretary of a military department makes a full report of the facts including the justification for such proposed action to the Congress.

"(b) For the purposes of subparagraph (a) continuity of session shall be considered as broken only by an adjuornment of the Congress sine die; but in the computation of the thirty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain.

"(c) This section shall apply only to posts, camps, stations, bases, yards, or other installations that are located in the United States and Puerto Rico and have a total military and civilian complement of more than two hundred and fifty. It shall not apply to any facility used primarily for river and harbor projects or flood control projects."

SEC. 614. Titles I, II, III, IV, V, and VI of this Act may be cited as the "Military Construction Authorization Act, 1967".

TITLE VII

Reserve forces facilities

SEC. 701. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) for the Department of the Navy: Naval and Marine Corps Reserves, $5,000,000.

(2) for Department of the Air Force:

(a) Air National Guard of the United States, $8,900,000.

(b) Air Force Reserve, $3,300,000.

SEC. 702. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774 (d) of title 10, United States Code. The authority to place permanent or temporary improvements, on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 703. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1967".

Mr. JACKSON. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives to the bill (S. 3105), the military construction bill, request a conference with the House thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JACKSON, Mr. CANNON, Mr. BYRD of West Virginia, Mr. INOUYE, Mr. THURMOND, and Mr. TOWER conferees on the part of the Senate.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. LONG of Louisiana. Mr. President, I have undertaken to consult the leadership on the other side of the aisle. I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 11 o'clock tomorrow morning.

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

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that all committees be permitted to meet during the session of the Senate tomorrow until 12 o'clock noon.

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

Mr. LONG of Louisiana. I thank the Senator for yielding.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Senate had passed, without amendment, the bill (S. 2104) for the relief of Harriet C. Chambers.

The message also announced that the House had agreed 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. 13881) to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes.

The message further announced that the House had agreed 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. 15456) making appropriations for the legislative branch for the fiscal year ending June 30, 1967, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 42, 43, and 46 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 13, 35, 53, and 54 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1967

The Senate resumed the consideration of the bill (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes.

MOTION TO DEFER CONSIDERATION

Mr. CLARK. Mr. President, about an hour and a quarter ago I came to the floor of the Senate and, after a short colloquy with the able senior Senator from Georgia [Mr. RUSSELL], agreed with him that we should have a live quorum, at the end of which I should make a motion to set aside temporarily, and for a quite short time, further consideration of this bill for reasons which I shall state in a moment.

Due to an unfortunate misunderstanding between me and some of the attachés, I was not notified, as I had been assured I would be, that a live quorum was about to be completed. So I was not here to make the motion when the Chair announced that a quorum was present.

The Senator from Georgia, who was entirely within his rights, then undertook to make his explanation.

Mr. RUSSELL of Georgia. May I say that I looked around to see if the Senator was in the Chamber, and he was not here. The Senate is not accustomed to have a hiatus after a bill is laid before it, so I proceeded to make my statement.

Mr. CLARK. I assure the Senator from Georgia that I have no criticism of his action. I am sure I would have done the same under similar circumstances. But the fact is that I was not notified, as I should have been. That is the reason why my statement has been deferred until now.

Mr. President, I am well aware of the parliamentary procedure under which, when I make my motion, I lose the floor, and a motion to table is then in order, which would make it impossible for me to state to the Senate the reasons why I shall make this motion. Accordingly, I shall discuss—though not at any substantial length—the reasons which impel me to rise at this time.

I shall be happy to yield to any other Senators who would care to ask me any questions when I complete my statement, which I assure my fellow Senators will not take more than 10 minutes. Then I shall make the motion, which may or may not then be found to be open to a motion to table without further discussion.

I shall in due course—though I am not doing so now—move to temporarily set aside further consideration of this bill until Monday next at noon—noon being the normal time for the Senate to convene on a Monday.

In support of that motion, I should like to note that this bill carries with it, I think—and Senators on the committee will correct me if I am in error—by far the largest appropriation of any bill which will come before the Senate this year. The committee notes the enormous sum of $59,624,575,000 as its recommendation for the sums to be financed in the coming fiscal year.

Of this enormous amount, $58,189,872,000 is to be financed from appropriations, and the other $1,434,765,000 will be financed from other sources.

This is moreover, in detail as well as in substance, the most complicated bill which will come before the Senate this year. We have been accustomed, in the past, to approve Department of Defense appropriation bills without substantial debate. My recollection is that last year the bill occupied less than 2 full days of the Senate's time.

To my way of thinking, this is not a responsible way for the Senate to behave. Senators will recall that not too long ago we devoted 8 working days of the Senate's time to consideration of the economic and military foreign aid bills. Foreign aid was a very controversial and also a very complicated piece of legislation. There were many amendments to curtail economic aid. There were amendments to curtail military aid. The debate ranged freely and fully for 8 full days of the Senate's time. And yet that bill carried far less than 10 percent of the amount involved in this bill, and that was only an authorization, not an appropriation.

So I would suggest that, in terms of careful, considerate, and responsible legislative processes, this bill deserves a thorough going over. Many questions should be asked about the many different items. I myself have one amendment which I intend to propose. With other Senators I have cosponsored a somewhat more important amendment, which I would hope will be wholly and freely discussed.

Mr. President, those of us who are not on the Armed Services Committee cannot expect to acquire a competence for legislation of this importance overnight. I will be candid enough to say that I do not think we can acquire a real competence in less than several weeks. Accordingly, if we want to know what we are doing, we ought to have the opportunity to study carefully the committee report and to refer to the two very large volumes of hearings which were taken before the Armed Services Committee.

But in point of fact, Senators will note that the report on their desks states that on August 12 it was ordered to be printed. I am advised by staff that the actual report was not finally printed until Saturday and was not available for delivery to Senators until yesterday.

My first reason for urging that further consideration of this bill be postponed until Monday next, is that this postponement would give those many Senators who are deeply interested in our defense activity, who are greatly concerned about the propriety of our action in Vietnam, who would want to think pretty carefully about this new proposal to make available individuals in the Ready Reserve, and I think also the National Guard, for service as though they were being drafted, an opportunity to study the provisions in this bill.

I also note that there is a substantial amount of money provided in the bill which was not asked for by the President. That amount by which the bill exceeds the budget request is $525,515,000, according to the committee.

The bill also contains provisions for the initial funding of a new military airplane which is opposed by the Secretary of Defense, and therefore by the President; and I would think we ought to give very careful and extended debate to the question as to whether that particular portion of the program which the President did not ask for should be appropriated by the Senate.

For all those reasons—this being Tuesday at 2:45 p.m.—I believe a postponement until Monday next at noon would not only be in the public interest but in the interest of orderly and seemly debate in the U.S. Senate.

But I have another reason in moving to temporarily set aside this bill, and that is my own sense of appropriate priorities in our legislative program in the Senate.

I have said on the Senate floor many times before, and I say again, that I think our priorities in the country and in the Senate are wrong. I believe we are putting much too much emphasis, in the Senate, on what I choose to call our belligerent foreign policy, backed up by the armed might of the Army, the Navy, the Air Force, and the Marine Corps. I am not much impressed by the suggestion that the flag is involved in various areas. That is an appeal to emotion, not an argument.

My view is that there are many domestic programs which ought to take priority over some of our efforts in defense. They are on their way to reaching the floor. I believe we should be giving careful and prayerful consideration to the tight money, high interest problem as a matter of the highest priority. I see the Senator from Tennessee [Mr. GORE] on the floor, and I recall that day after day, he has been pounding on that subject. I point out that this is the problem which is making it so difficult, if indeed not impossible, for the average American citizen to buy a home and finance it with a mortgage at a price which he can afford.

We shall have coming before the Senate in short order the education bill—primary, secondary, higher, and international.

It will be my responsibility to bring to the floor of the Senate and have passed in the reasonably near future the antipoverty program amendments of 1966.

We have the minimum wage bill, which was reported by the Committee on Labor and Public Welfare today, but which will not be ready for floor action until next week.

I raise now the question of priority. What comes first—our domestic bills—or a trip to the moon on gossamer wings in a $5 billion authorization passed in less than 2 hours, and this enormous defense program, a great deal of which I agree is absolutely necessary.

It will be said that the minimum wage bill will not be ready for another week, that the education bill is not ready, and that the antipoverty measure is not ready.

One piece of legislation is ready right now. It is legislation that is vital to the cities of America. It is on the calendar. It is Calendar No. 1404, S. 3708, a bill to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes.

That bill is of vital concern to the cities of America. The bill is ready for action. It was to have been brought up today. However, for reasons which have been explained to me, some of which have a great deal to do with senatorial courtesy, protocol, and seniority, the bill was temporarily laid aside and the military appropriations bill was put forward instead.

Mr. President, I have no illusions about what is going to happen to my motion. I rise to make the motion only for the purpose of again emphasizing to the Members of the Senate my strong feeling that our priorities are wrong, and hopefully, in due course, maybe at long last, to persuade the country that our priorities are wrong.

In saying this, I want to be clear that I think this bill is too big, but not much too big.

I have no doubt that, in the end, I shall vote for it after appropriate debate and consideration of amendments. A very substantial military appropriations bill ought to be passed, and I shall support it.

That is about all that I have to say. I shall be glad to yield the floor very briefly.

I understand through the grapevine—I may be wrong—that the majority whip intends, when I sit down, to move to table this motion.

I do not particularly want a rollcall vote. I know that on a rollcall vote my position will be overwhelmingly defeated. However, I feel it necessary to express this point of view.

I should be glad to yield to the Senator from Washington and to any other Senators who desire me to do so.

Mr. JACKSON. Mr. President, I wish to say to my distinguished friend, the Senator from Pennsylvania, that I share

his concern about the serious nature of the appropriations bill pending before us.

I am a little curious, however, to see how anyone can say that there is a disposition on the part of the Senate to shut anyone off from debating this measure at great length.

I think it should be thoroughly discussed. However, I am curious to know what it is that disturbs the Senator about the way in which the bill is being handled.

Mr. CLARK. Mr. President, I have no criticisms whatever of the way the bill is being handled. I merely point out that, as a matter of history, we have customarily rushed through these defense appropriations on the ground that anybody who undertakes to discuss them at length or differ with any of them might be charged back home with being unpatriotic.

Mr. JACKSON. I think that is unfair. I know that through the years the distinguished Senator from Pennsylvania has been most conscientious in going into both the authorization and the appropriation bills dealing with defense.

I admire him. While we may disagree on points in connection with our defense effort, I must say that the Senator from Pennsylvania has always been conscientious and sincere in his approach to the problem.

The House hearings have been available for a long time. I do not think that any Senator really has the time, unfortunately, to go through all of the hearings in detail.

Mr. CLARK. The Senator understands that I have no criticism of the committee, none whatever.

Does the Senator from Louisiana wish me to yield? I shall be happy to do so.

Mr. LONG of Louisiana. Mr. President, I appreciate the Senator's according me that courtesy.

We have two bills that we will vote on.

We are going to vote on the demonstration cities bill and on the defense appropriation bill. As soon as we get the minimum wage bill, we will schedule that bill for action.

Those bills will be voted on.

As far as the Senate is concerned, I was ready at 3 o'clock yesterday afternoon, when we passed the mass transit bill, to call up either one of these bills. I talked to the Senators who were to manage those bills about whether they were ready to proceed.

I would have called up at that time the demonstration cities bill, but the manager of that bill thought it best that we wait until we dispose of the bill before us, and then bring his bill up.

Frankly, we do have an absentee problem on Friday and Monday. I moved to adjourn the Senate Friday about a week ago, because I was losing on rollcall votes when the absentees, if they had been present, would have made the rollcall vote much different.

Mr. CLARK. It was the same thing last Friday. We had to postpone the mass transit bill because a number of Senators who favored our position on that measure were out of town.

Mr. LONG of Louisiana. I am well aware of that problem. I do the best that I can under the circumstances.

I hope that we can vote on both of these measures before we conclude our business on Thursday evening. If not, we will have to struggle along and see what we can do about obtaining pairs for the absentees, and that sort of thing, since Congress is in session now in the middle of August.

I do want both bills to be voted on.

The managers of both bills have a parallel problem. They must consider the question of who can be in town, who the ranking members on the committee are, and what objections can be made.

A single Senator can keep the Senate in session for 3 days because he is unhappy about the way things are going. I have done it myself.

Mr. CLARK. I understood the problem in relation to the mass transport and demonstration cities measures, but this measure will be overwhelmingly approved by the Senate.

I should like to see it adequately debated. I have no criticism of what the Senator from Louisiana has said.

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

Mr. CLARK. I yield.

Mr. SALTONSTALL. Mr. President, from the minority side, I say to the Senator from Pennsylvania that as far as I know there has never been anything other than unanimous decisions on these matters.

There are 27 members of the Committee on Appropriations and there are, in addition to that, 11 members of the Committee on Armed Services, who are not members of the Committee on Appropriations.

We held 18 days of hearings. On some days there were morning and afternoon meetings. In addition to that, on procurement—which is provided for in this bill—the Committee on Armed Services and the Committee on Appropriations sat jointly. A number of other days of hearings were held.

The Senator from Pennsylvania is perfectly sincere in what he is asking or suggesting. However, 38 Senators have gone through this bill as carefully as they could. Furthermore, before they received the measure, the House gave very long consideration to it under the able chairmanship of Chairman MAHON, of Texas.

I believe that the bill before us represents the best efforts of the House and of the Senate.

The bill has been gone into very carefully.

Mr. CLARK. Mr. President, I say to my friend, the senior Senator from Massachusetts, that I do not challenge a single word he says.

When I was mayor of Philadelphia, there used to be a cliche around to the effect that, "You can't beat city hall."

Since I have come to the Senate, I have learned that it is almost impossible to beat our Committee on Appropriations, although I have tried many times and will continue in my efforts.

Mr. President, in order that Senators may have a more adequate opportunity to study this most complicated bill, and in order that an opportunity may be given to pass the demonstration cities bill before the end of this week, I now move that the Senate temporarily set aside until Monday next, at 12 o'clock noon, the pending defense appropriations bill.

I yield the floor.

Mr. RUSSELL of Georgia. Mr. President, I desire to make a very brief statement before I move to lay this motion on the table.

In the first place, I point out that we are already 2 months late with this bill. The new fiscal year started on July 1. The Department of Defense has been handicapped from that day until now because it did not know exactly the amount of the funds which would be appropriated. They are operating under a continuing resolution that put a ceiling on what they can spend. Furthermore, they do not know exactly how to plan to operate a department whose function is vital to the preservation of our civilization—certainly if we are to create all those other items to which the Senator from Pennsylvania has referred.

This bill did not come to the Senate until July 21. We had already held extended hearings on it earlier in the year. We then immediately started two hearings a day in order to go into the details of the bill. We then heard testimony on changes in the bill as it passed the House. We worked on it diligently, to the very best of our ability.

The Senator talks about the poverty program. There is no more vital program in combating poverty in this country than is this defense appropriations bill. Every defense contractor, for every one of these procurement items, has to sign a contract containing a provision that he will be fair in his employment practices. He must be fair to minority groups. He has to be fair to women in his employment practices. Federal agents travel throughout the country to see that these rules are observed.

If any bill pending on this calendar is important to those who are really striving to do something for themselves, and who are willing to accept the training programs that have been provided, this is the bill. They can get the training, and they can then go to work in one of the airplane factories, shipyards, or tank manufacturing plants.

There is no justification on earth for delaying this bill. The Senator referred to two bills that were passed—the mass transit bill and the housing bill. I point out to the Senator that neither of these bills was on the calendar before it was taken up for as long as this bill as been on the calendar before it has been taken up. They are not very simple bills either. They are quite complicated.

This bill was brought up in accord with the desires of the leadership. Mr. President, I am looked upon as a maverick in my voting. I vote on every bill that comes up as I see it, and for that I have no apologies to anyone. But, as a Democrat, I follow the leadership of my leader when it comes to procedural matters; and when he schedules bills, I accept his determination in scheduling

those bills. I think that is the very least I can do for him.

I discussed this matter with Senator MANSFIELD, and I discussed it with Senator LONG of Louisiana, who is acting in his capacity today. They discussed it in my presence with Senator MUSKIE, who I believe will handle the demonstration cities bill on the floor. This matter was all worked out, and everybody is out of step except the Senator from Pennsylvania. He is the only one who is in step, who knows exactly how we ought to operate the Senate and the order in which we ought to take up the bills.

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

Mr. RUSSELL of Georgia. I yield.

Mr. CLARK. Let me say to the Senator that it seems to me likely that the Senator from Pennsylvania is the only Senator out of step.

Mr. RUSSELL of Georgia. There will be some others who will vote with him.

Mr. CLARK. I have no doubt that the Senator is correct. For that reason, I have no intention of asking for a rollcall vote.

Mr. RUSSELL of Georgia. I am going to ask for a rollcall vote.

Mr. CLARK. May I ask the Senator a question? As I understand it, the Reorganization Act of 1946 contains a provision which requires that all appropriations bills come to the floor before the beginning of the fiscal year. I ask the Senator whether he can give any reasonable explanation as to why the other body was so slow in bringing this bill to its own floor for action and in sending it here.

Mr. RUSSELL of Georgia. The Senator has raised an issue that has not been answered since the Reorganization Act was passed. The first year after it was passed, the House did not get bills to the Senate within that time, and they have not done so since.

I cannot answer why the other body did not get this bill to the Senate sooner. I do know something about how this bill is handled. It is handled very thoroughly. The chairman of the Subcommittee on Defense Appropriation in the House is an able and conscientious man, and he tried his best to see that this bill was culled carefully in order that only those items were included that were necessary or important to the security of the United States. He was 21 days late in getting the bill here, so that under our own procedures we could not report it any earlier.

Mr. CLARK. The Senator is correct. But I wonder if the Senator knows whether the administration was ready to proceed before the House.

Mr. RUSSELL of Georgia. I cannot answer that. I do not know. If the Senator just wishes to rubberstamp the budget and send the bill here, it could get here in February.

Mr. CLARK. I would never wish to do that. But there have been times in the past—I am familiar with them, in connection with some of my own committees—when the administration was not ready to go forward, and this may be one reason why the House was so delayed.

Mr. RUSSELL of Georgia. I cannot answer that question.

I can say that we expedited the bill as rapidly as we could, since we received it on July 21 of this year.

Mr. CLARK. I have no doubt that the Senator is correct.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, both this bill and the demonstration cities bill have the advantage of a very fine and able floor manager, who is a great parliamentary leader. No Member of the Senate is more capable of managing a bill than the Senator from Georgia. Some of the major bills that have been passed in this Congress have been handled by the Senator from Maine [Mr. MUSKIE]. He is a great statesman and a great parliamentary leader, and he has been consulted about this matter. If he were not satisfied with the matter, he would express himself. He has not lost his tongue.

May I say that since the two Senators managing these bills are satisfied, I cannot understand what the argument is about.

Mr. RUSSELL of Georgia. I cannot understand it, either.

There has been a precedent, since I first came to the Senate, that appropriation bills have priority over other legislation.

There is a very simple reason for that precedent. Appropriations are the lifeblood of the Government. The Government cannot be operated without appropriations. We are now 2 months late in considering the bill, and the Department of Defense has been in a straitjacket during that time, not knowing what they had to expend.

Now we hear talk about putting off the bill because some Senators believe that certain aspects of the antipoverty program should take precedence. That bill is still languishing in committee. Bear that in mind. It is not on the calendar; it is languishing in committee. Yet it is asked that the Senate put off the consideration of the defense appropriation bill, a bill which is vital to the security of the United States, until another committee makes up its mind to report another bill to the Senate.

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

Mr. RUSSELL of Georgia. I yield.

Mr. SCOTT. Did I correctly understand the Senator to say a moment ago that it was his intention to ask for a yea-and-nay vote? I am inquiring for information, first of all.

Mr. RUSSELL of Georgia. The Senator is correct.

Mr. SCOTT. Since the Senator has indicated that he intends to ask for a yea-and-nay vote, I wish to make a comment which otherwise, had the matter been disposed of without a rollcall, would have been unnecessary, and that is to state my own view.

I am impressed by the fact that the Senator from Georgia says that appropriation bills have always had priority.

Mr. RUSSELL of Georgia. They always have had priority under the written rule. I refer the Senator to rule IX:

> First. A motion to proceed to the consideration of an appropriation or revenue bill.

That appears on page 11 of the Senate Manual.

Mr. SCOTT. I was coming to that.

Mr. RUSSELL of Georgia. If the Senator's colleague [Mr. CLARK] desires to change that rule and have the Senate wait until committees make up their minds to report bills, that would be something for the Senate to consider.

Mr. SCOTT. I have no desire to change the rule. I do have the desire to see the appropriating functions of the Senate and the House operate with greater expedition than they have in my experience. I think that much faulty housekeeping takes place because of the unplanned operations and doubly confounded confusion of the legislative process without our adding to the trouble.

That is why I wanted to take a brief time to say that while I am interested in the administration's demonstration cities program, as I am interested in mass transit and in various other aspects of the Great Society, I am not at all anxious to put the Great Society's domestic program ahead of the conduct of the war. Therefore, I shall support the Senator from Georgia.

Mr. RUSSELL of Georgia. And the freedom and security of the people of the United States.

Mr. SCOTT. The security and defense of the United States and the protection of the people of Vietnam.

If I had any doubt about the matter, I may say to the Senator from Georgia, a letter which I received from Vietnam today, which tells me of the slaughter and carnage over there, which tells me of the hardships our soldiers are undergoing, would in itself be enough for me to say that it makes up my mind.

I am ready to go ahead with the Defense appropriation bill. I am ready to go ahead with fighting the war. I am ready to say that I would not even mind winning the war.

I thank the Senator from Georgia.

Mr. CLARK. Mr. President, will the Senator from Georgia yield to permit me to address a comment to my colleague?

Mr. RUSSELL of Georgia. I yield, provided that my yielding will not affect my right to the floor.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Pennsylvania?

Mr. RUSSELL of Georgia. I yield with that understanding.

Mr. CLARK. May I have the attention of my colleague?

Mr. RUSSELL of Georgia. I want to make it clear that I am not involved in this fraternal and internecine conflict.

Mr. SCOTT. My senior colleague always has my attention, alertness, and wary suspicion.

Mr. CLARK. Sixty percent of the time the Senator votes the same way I do.

Mr. SCOTT. I am glad that my senior colleague is right 60 percent of the time.

Mr. CLARK. I want to call to the attention of my colleague when he comes to write his next newsletter that that patriotic address which he just made, full

of his usual gestures, is in opposition to postponing the consideration of the bill for 4 days.

Mr. SCOTT. Mr. President, since the remarks were addressed to me, I do not believe as much harm would be done to the Senator's favorite project as might be done to the defense of the United States by a 4-day delay. I, again, decide in favor of our Nation's security.

Mr. RUSSELL of Georgia. Mr. President, I decide in favor of the freedom and security of the people of this Nation.

I move to lay the motion on the table, and on that motion I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia to lay on the table the motion of the Senator from Pennsylvania to postpone the consideration of the bill. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce the Senator from Montana [Mr. MANSFIELD], is absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], and the Senator from Alabama [Mr. SPARKMAN], are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER], the Senator from Illinois [Mr. DOUGLAS], and the Senator from New Hampshire [Mr. MCINTYRE], would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent because of illness and, if present and voting, would vote "yea."

The Senator from Kentucky [Mr. MORTON] is detained on official business, and, if present and voting, would vote "yea."

The result was announced—yeas 84, nays 5, as follows:

[No. 207 Leg.]

YEAS—84

Aiken	Harris	Murphy
Allott	Hart	Muskie
Anderson	Hartke	Nelson
Bartlett	Hickenlooper	Pastore
Bass	Holland	Pearson
Bayh	Hruska	Pell
Bible	Inouye	Prouty
Boggs	Jackson	Proxmire
Byrd, Va.	Javits	Randolph
Byrd, W. Va.	Jordan, N.C.	Ribicoff
Cannon	Jordan, Idaho	Robertson
Carlson	Kennedy, Mass.	Russell, S.C.
Case	Kennedy, N.Y.	Russell, Ga.
Church	Kuchel	Saltonstall
Cooper	Lausche	Scott
Cotton	Long, Mo.	Simpson
Curtis	Long, La.	Smathers
Dirksen	Magnuson	Smith
Dodd	McCarthy	Stennis
Dominick	McClellan	Symington
Eastland	McGee	Talmadge
Ellender	McGovern	Thurmond
Ervin	Miller	Tower
Fannin	Mondale	Tydings
Fong	Monroney	Williams, N.J.
Fulbright	Montoya	Williams, Del.
Griffin	Moss	Yarborough
Gruening	Mundt	Young, N. Dak.

NAYS—5

Clark	Morse	Young, Ohio
Gore	Neuberger	

NOT VOTING—11

Bennett	Hayden	Metcalf
Brewster	Hill	Morton
Burdick	Mansfield	Sparkman
Douglas	McIntyre	

So the motion of the Senator from Georgia [Mr. RUSSELL] to lay on the table the motion of the Senator from Pennsylvania [Mr. CLARK] was agreed to.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MUNDT. Mr. President, as ranking minority member of the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations, I wish to associate myself with the remarks made by our distinguished chairman, Senator JOHN L. MCCLELLAN, relating to the resumption of the subcommittee's investigation of the TFX aircraft procurement program and the serious questions remaining unsolved in connection with this plane.

Almost 4 years have gone by since Secretary of Defense McNamara made his decision to overrule the unanimous recommendations of his highest ranking officers and to award the TFX aircraft contract to the General Dynamics Corp. of Fort Worth, Tex., instead of to the lowest bidder, which was Boeing. It has been almost 3 years since the Senate Permanent Subcommittee on Investigations suspended its hearings into the reasons why the Secretary of Defense ignored the views of his military experts, who all agreed, during four separate evaluations of the proposals of the two competitors, that the Boeing design would produce at lower cost a biservice aircraft with marked operational superiority over the plane proposed by General Dynamics.

The Secretary selected General Dynamics, however, and later told the subcommittee that he did so because that company's proposal adhered more closely to his directive for minimum divergence from a common design for both Air Force and Navy versions of the TFX, and because "the General Dynamics proposal reflected a more realistic understanding of costs." This was the Secretary's individual decision.

Mr. President, the Air Force plane is in the late stages of development, and the same program for the Navy aircraft is well underway. We are informed that General Dynamics has been awarded a production contract to begin building operational airplanes.

As our distinguished chairman has said, the subcommittee did not close its investigation. It will be necessary to hold further hearings at the appropriate time, and make a full report to the Congress and the country. We have a duty and an obligation to question Secretary McNamara and his Pentagon officials about the exact costs of the TFX program and about the frequently reported deficiencies of the General Dynamics plane, particularly the Navy version.

In the meantime we have a responsibility to the Senate to take some steps to see to it that none of the money contained in the appropriation bill is diverted for the purpose of procurement of this Navy plane until and unless the Commander in Chief has certified to the Congress that he has found that plane to be necessary and desirable for our national weapons systems.

The reason it is important to adopt some kind of prohibitive language, either today or tomorrow, as we deal with this appropriation bill, is that the appropriation bill contains flexible provisions for reprograming and changes of plans through which the money could be used to influence Secretary McNamara's strange and stubborn adhesion to his desire to build a multipurpose plane.

It is conceivable that without this prohibition he could proceed against the wishes of the Congress and the committee to make procurement contracts for a Navy plane as he has proceeded, as brought out in our investigative subcommittee, to spend multibillions of dollars for a plane which we are hearing described today by press reports as being entirely deficient and almost unusable for combat missions.

The chairman of our subcommittee has been consulting with members of the committee this morning and yesterday, and we have arrived at a variety of parliamentary moves which can be relied upon, which can be of value both to the services and the taxpayers.

I certainly hope that one or another of those parliamentary moves, before the appropriation bill has been approved, will be adopted to establish a necessary ironclad prohibition requiring a certification of the plane before we plunge into a further procurement of the plane, which has been subjected to so much criticism by knowledgeable experts.

Other voices have been heard recently in critical appraisal of the TFX aircraft, as information about the mounting costs and the serious operational problems of the plane have become known.

The plane has become known as the F-111. "TFX" is no longer its designation symbol. It is "F" this and "F" that. I hope the "F" is not the designation symbol for failure.

Some facts have been made public reluctantly and belatedly by the Pentagon. As the Senator from Arkansas [Mr. MCCLELLAN] stated, whenever such disclosures have suited the Defense Department's purpose in attempting to create a favorable image of the airplane, they have been publicized. At other times, when they have been questioned by diligent reporters or by our staff investigators, the information has been less adequate and forthright.

Other important and disturbing information, may I say, has been elicited in testimony during our recent congressional hearings, while diligent reporters, as the chairman has just told us, have managed to penetrate the "smoke screen" of secrecy and lack of candor with which the Pentagon has managed to shroud the problems that have arisen during the development of the TFX and the various F-111's.

Comprehensive articles in the Nation's press during the past few months have expressed the deep concern of knowledgeable Members of both Houses of Congress about the possibility that Mr. McNamara's biservice aircraft, which he

proudly predicted would save $1 billion, may be a costly failure.

In fact, Mr. President, if the article in Barron's Financial Weekly for August 15, which spells out the information in detail, is even remotely correct, instead of providing a saving of $1 billion, this contract will go down in the history of America as the most expensive billion dollar blunder in the history of American defense. It is already the largest and most expensive aircraft weapons system contract in history. If it fails to produce an effective weapons system, it will be a stupendous scandal about which future history students will be reading for the rest of American history.

I congratulate Barron's Financial Weekly, the Aviation Weekly, the members of the Associated Press who are dealing with this project, Time magazine, and a number of other periodicals which have diligently been digging into these matters and have brought out the alleged facts and figures, the suggestions and the reports recently put in the RECORD by our chairman. If those statements are even remotely correct, those reporters will have served a wonderful public service, and will be entitled to the highest awards provided by the journalistic profession. If they are wrong, at worst they will have caused us to carefully deliberate before going too far, before we reach an irrevocable point of no return in contracting for planes which at least the user services—the men who have to fly them—do not look upon with favor.

Our subcommittee has been deeply concerned throughout the investigation with the major elements of costs of the aircraft, the questionable capabilities of the Navy plane, and the doubtful performance ratios of the Air Force plane, among other areas of investigation. I would like to comment briefly upon these important subjects.

I heartily approve, Mr. President, the chairman's request of the Comptroller General to examine into the costs of the total TFX program. All of us remember that, early in the investigation, we made a similar request of former Comptroller General Joseph Campbell, asking him to examine the cost standard estimates used by the Pentagon in making the decision for General Dynamics. Mr. Campbell and his aids reported to us in testimony during the hearings that Mr. McNamara told them that he had made "rough judgments" on the elements of cost in the source selection, and that "he had the figures in his head."

Let us hope that the "cost realism" for which the Secretary of Defense cited General Dynamics has now improved to the point where we can obtain, through the mission of the Comptroller General, some realistic cost figures.

The chairman has placed in the RECORD the letters approved by the subcommittee whereby we requested the Comptroller General to give us the facts and requested the Department of Defense to cooperate in providing the figures.

We are told that the development costs for the TFX have skyrocketed. General Dynamics undertook the research and development contract for a firm fixed price of $571.3 million. As Chairman McCLELLAN stated for the RECORD, the press reports inform us that recent estimates place the total cost of this program alone, which does not include production, at $1.5 billion, and it is still rising. This is cost escalation of nearly 300 percent. Certainly Congress should call a halt before we go any further, until we are convinced we will obtain a product satisfactory to the user services and completely dependable and adequate for our national defense requirements.

Evidence in our hearings in 1963 established that General Dynamics said it could produce 1,704 aircraft for a total of $5.8 billion. We now hear speculations that if the Pentagon orders 1,400 aircraft the cost will be about $11 billion. But we are informed at the same time, that the Pentagon itself has so poor a view of the TFX that it plans to procure less than 1,000 planes, which will be built at correspondingly higher unit prices. In fact, the 1963 cost of $2.9 million per plane, according to Barron's Weekly, has risen in the most recent estimates to almost $9 million for each TFX that General Dynamics will supply.

When Secretary McNamara ordered that the Armed Forces proceed with the procurement of one airplane to serve the needs of both the Navy and the Air Force, the Navy reluctantly compromised certain of its requirements for a combat airplane.

I point out that the then Chiefs of Staff of the Navy and the Air Force, Adm. George Anderson and Gen. Curtis LeMay, put their careers on the line before our investigating subcommittee, protesting the decision of the Secretary of Defense, and proclaimed that their respective user forces were unanimously opposed to going forward with the contract. I never have ceased to regret the unfortunate aftermath of consequences for Admiral Anderson and General LeMay as a followup to their courageous testimony, in which they were honestly reflecting their points of view and the points of view of the adviser members of their respective staffs.

Mr. President, the weight of the Navy plane is an example. Original requirements were for an aircraft to operate from our carriers at a weight not exceeding 50,000 pounds. The Navy reluctantly bowed to the Secretary's demand and agreed to the TFX at a maximum weight of 55,000 pounds. However, the General Dynamics proposal was rated at 62,788 pounds. Now we are told that a Navy TFX model, after almost 2 years of Pentagon attempts to cut the weight down to the proposal figure, is evaluated at 78,000 pounds, 7 tons overweight.

There are reported to be many other deficiencies in the Navy plane. Some of them are discussed in the informative newspaper and magazine articles that have appeared in recent weeks and which the chairman has today alluded to and placed in the RECORD. The principal factor in the development of the Navy plane is the obvious fact that the aircraft cannot be used if it is incapable of operating from our carriers or if it cannot carry out its combat missions.

Mr. President, in addition to the news items placed in the RECORD by the distinguished chairman of the Subcommittee on Investigations [Mr. McCLELLAN], I ask unanimous consent to have printed at this point in the RECORD an informative article entitled "The Troubled Hybrid," published in Time magazine for August 19, 1966. This TFX plane was supposed to be a hybrid development usable by all services.

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

THE TROUBLED HYBRID

Few projects in the history of armaments have been more controversial and costly than the development of the TFX fighter-bomber, which Defense Secretary McNamara decided in 1961 to have built as a single, all-purpose supersonic aircraft. The Air Force and the Navy objected that their requirements demanded separate planes, and powerful backers in Congress agreed. The controversy heightened when McNamara awarded the construction contract to the General Dynamics Corp., which submitted designs for a more expensive and, in the eyes of most military men, less efficient plane than the one proposed by the Boeing Co. McNamara's detractors, mindful of his past as president of Ford Motor Co., began derisively calling his $7 billion brainchild "the flying Edsel."

After 808 test flights, the TFX is still the subject of bitter dispute. Last week the Pentagon confirmed that the plane will cost two to three times more than originally expected. To get anywhere near the requirements of each service, the Pentagon has had to turn its dual-service project into something akin to two distinct planes—and the Air Force and Navy are grumbling loudly that each version has been compromised for the sake of a hybrid that fully meets the needs of neither service. Troubled by these facts, Senator JOHN McCLELLAN's investigations subcommittee, which conducted much-ballyhooed hearings on the TFX in 1963, plans to resume its inquiry early next year.

SWINGING WING

The TFX—now known officially as the F-111—is something of a pioneer aircraft. The two-man, 1,650-m.p.h. plane is equipped with the world's first afterburning turbofan engines, has a revolutionary swing-wing—the sort envisioned in one of the designs for the nation's first commercial supersonic transport. The wing, which is crucial to the multipurpose role planned for the TFX, enables the plane, in effect, to redesign itself in flight. The plane sweeps back its wings in a dartlike configuration for supersonic flight, extends them to full span to slow itself for landing on aircraft carriers.

Yet for all its innovations, the plane has so far fallen short of expectations. Test models have weighed too much, and have been burdened with excessive "drag," or inflight friction resistance. Though not altogether satisfied, the Air Force is prepared to live with its version, designated the F-111A and due to become operational next year. The Navy version, the F-111B, is another matter. The Navy fears that the 35-ton F-111B consumes too much fuel and has insufficient range for "loitering" (patrolling at slow speed to guard ships), suspects that it will prove too heavy and cumbersome for carrier use. Pentagon planners expect that new lift devices will partially offset the weight problem, also hope to improve the F-111B's engine and eliminate kinks in its special missile system. But the Navy has been unhappy with the program all along, makes no secret of its interest in a proposal to convert Mc-

Donnell Aircraft's F-4 fighter plane, a workhorse of the U.S. air effort in Viet Nam, into a swing-wing craft to replace the F-111B.

PLANS TO CONVERT

The upshot of all the continuing modifications is a big jump in costs. According to the Pentagon, overall F-111 development costs have already increased from $571 million to $1.5 billion. Instead of the $2,900,000 that each plane was supposed to cost when the contract was awarded, the price tag is now expected to be $5,000,000 for every F-111A, $8,000,000 for every F-111B. But the Defense Department continues to insist that the F-111 is a cost-cutting undertaking, partly because the Pentagon plans to convert it into a strategic bomber known as the FB-111, which would replace older B-52s.

Secretary McNamara says that the cost of developing the FB-111 would be a fraction of the $1.5 billion it would take to work up a totally new long-range bomber. The Air Force and its backers in Congress reply that a completely new "advanced, manned strategic aircraft" is needed for the mid-1970s, deride the FB-111 as an interim bomber that would not be even so effective as advanced versions of the B-52. The fight over the TFX, like the plane itself, seems to be entering a new phase.

Mr. MUNDT. Mr. President, a second article that I ask unanimous consent to have printed at this point in the RECORD is an Associated Press report entitled "Defense Confirms Costs of TFX Have Soared," published in the Washington Evening Star. I invite the attention of Members of Congress and of the people of the country who will read the RECORD to the comparison with the Air Force versions of the F-111 and the F-111B, and the difference in the cost price originally proposed by the Secretary of Defense and what the Secretary of Defense now admits are the proposed costs— and the costs are continuing to go up and up with every day and every month of delay.

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

DEFENSE CONFIRMS COSTS OF TFX HAVE SOARED

The costs of a big military project—the controversial TFX warplane and its Phoenix air-to-air missile weapon system—have skyrocketed, Defense Department figures show.

The department made the multimillion-dollar increases known in reply to series of questions submitted by The Associated Press.

The Pentagon figure show the cost of the TFX, known as the F-111, to be about $5 million for the Air Force version and $8 million for the Navy model.

In 1962 there was testimony before Congress that the unit cost of the F111 would be about 2.9 million.

The original estimated cost of developing the Phoenix system was $137 million. The cost now is $258 million and the weapon still reportedly is having guidance and control problems.

The Pentagon said the reasons for 85 to 90 per cent of the increased costs were "government change orders to improve the capability and increase the versatility of the F111."

The Air Force version of the F111—the F111A—is being built at Fort Worth, Tex., by General Dynamics, while Grumman Aircraft Engineering Corp., Calverton, N.Y., is building the Navy's F111B.

The F111 was selected by Secretary of Defense Robert S. McNamara despite the recommendation of a 235-man evaluation board that a Boeing Co. design be accepted.

McNamara said the General Dynamics design would ultimately save the Defense Department $1 billion.

One of the reasons, he said, was that it offered a high degree of identical parts for the Navy and Air Force versions.

The Pentagon said more than 82 per cent of the air frame parts are common. It did not use the term identical.

The term "commonality" arose during 1962 Senate hearings on the craft. The Boeing design offered parts that were "common;" that is, similar. General Dynamics offered identical parts.

The plane and its weapons system also are behind schedule. The Pentagon said the F111B and Phoenix schedules have been revised.

Mr. MUNDT. Mr. President, the third item which I ask unanimous consent to have printed at this point in the RECORD is an Associated Press article entitled "TFX Bomber Range Placed At Third Less Than B-52's," published in the Washington Evening Star of August 11, 1966.

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

TFX BOMBER RANGE PLACED AT THIRD LESS THAN B-52'S

(By the Associated Press)

The bomber version of the controversial TFX all-purpose warplane, designed to replace the early models of the B-52 long-range bomber, may turn out to have clipped wings.

A congressional source said today preliminary estimates put the range of a fully loaded TFX bomber, now called the B-111, at less than two-thirds that of the B-52, which has an 11,000-mile range.

By today's standards the B-111 would thus fall into the category of a medium-range bomber.

The TFX is the aircraft selected to be a triservice "air superiority airplane" by Defense Secretary Robert S. McNamara in November 1962.

BOARD OVERRULED

In making his TFX selection McNamara overruled the recommendations of a 235-man evaluation board four times. The defense chief said the design he selected would save the taxpayers $1 billion.

There are three versions of the TFX: The Air Force model is known as the F-111A, the Navy version as F-111B and the strategic bomber version as the B-111.

The F-111B is already in deep development troubles.

As for the B-111, the Air Force at last reports has proposed to buy 210 of them at a cost of $2 billion.

RANGE, 3,300 MILES

The B-111 would employ an elongated F-111A air frame hitched to the three-foot high left Navy wings. The elongation would enable the B-111 to carry more fuel internally.

The F-111A has a ferry range on internal fuel of 3,300 miles.

There now are 600 B-2s, 370 of which fall into the early model category—B-52s C-6. These early models are the ones the B-111 would replace.

The B-111, like the F-111A, is designed to carry 48 of the 750-pound-class bombs—which actually weigh 813 pounds.

The prime contractor for the TFX, or 111 series of aircraft, is General Dynamics Corp., Fort Worth, Tex.

So far 16 of the projected 23 research and development aircraft have been produced—12 for the Air Force and 4 for the Navy.

The ninth one, an F-111A, will be modified by General Dynamics into the first prototype of the B-111. It will need engines larger than the 20,000 pound thrust generated by the engines for the F-111A and the F-111B.

The whole TFX research, development, test and engineering program was estimated originally to cost $571 million.

As of June 30, the Air Force had obligated $882 million to the program. It has actually spent $788 million.

Further, separate engine development costs for the Navy model have claimed $128 million.

Mr. MUNDT. Mr. President, we are told that the Navy will make its decision about whether it can use the TFX at some indefinite time in the spring of 1967. That decision has been put off for so long that its further postponement leads us logically to the question that I believe must be answered about the Navy plane: Is it indeed worth building at all, or do its performance and cost figures indicate that it is an unreasonable buy from the "cost effectiveness" and that, from the "combat effectiveness" points of view, it has been demonstrated to be a total failure?

I think Congress and the country are entitled to direct answers to that question.

Mr. President, I believe that we will have answers to many of the disturbing questions about the TFX when the Comptroller General completes the examination which the subcommittee has requested him to make, and when the subcommittee's staff completes the investigation that we started so long ago. At that point, I trust that we will resume our hearings and obtain the information that the Congress and the taxpayers are entitled to know about this extremely expensive weapons system. In the meantime, I recommend extreme caution on the part of Congress and the administration in any steps designed to procure and construct planes of a design deemed unacceptable or inadequate by the user services. Congress and the administration, after all, are responsible for the defense of this country.

Basically, I am supporting the proposed amendment. The language to be introduced by the chairman of the subcommittee is for the reason that we have found in the past that simply a word of admonishment or caution is not sufficient to stop the Defense Department from plunging headlong ahead into this expensive experiment.

Mr. President, during our hearings and at the time we made our tentative suspension of the hearings and made our summary of information known to the public, we flashed warning lights to the Pentagon as bright as those of the takeoff blast of a missile going to the moon. Those warning lights have been ignored by the Defense Department. Therefore, when we pass this appropriations bill, we have to provide something in the nature of a prohibition which will stop any further speculation with the fiscal integrity of this country and our national defense until the facts are all in.

Mr. President, I shall read a paragraph or two from this article in Barron's Financial Weekly to which our chairman alluded. These are statements which cannot go unchallenged and which

cannot go unanswered. Up to now there has been no direct and authoritative refutation from the Department of Defense concerning these allegations, despite the national concern of people all over America.

The article states, concerning the F-111A and FB-111:

They weigh too much and they are burdened by aerodynamic drag and other so far insoluble drawbacks. Indeed, according to confidential reports, they not only fail to meet specifications but also will be no match for Communist MIGs already flying in combat.

I wish the Senate would note that language particularly.

We have a right to know from Secretary of Defense McNamara whether that statement is true or false before we spend additional money going down a long, expensive trail, at the end of which trail, we may conceivably come up with a flying coffin inferior to the fighting plane the Russians are using in combat now.

These are not general criticisms expressed in the article. These are specific, and the Secretary of Defense should give us a specific and authoritative reply.

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

Mr. MUNDT. I yield.

Mr. MORSE. Mr. President, I have listened to the Senator from South Dakota and he has me almost convinced that he is about ready to agree with me that we ought to have a new Secretary of Defense.

Mr. MUNDT. Since the Senator raises the question, let me tell him what the Barron's article has to say in the concluding paragraph. I am sure the Senator from Oregon will get some solace from this, even though the Senator from South Dakota is not yet ready to arrive at a conclusion until we have an opportunity to hear the Secretary of Defense testify before our committee. However, for the solace of the Senator from Oregon, the concluding paragraph in the article states:

Throughout Congress, indeed, the powers-that-be are said to be chafing over the reliance on the man who has held the job of Secretary of Defense longer—and perhaps with more disastrous results—than any other in history.

Mr. MORSE. Mr. President, let the RECORD show that I agree.

Mr. MUNDT. I imagined that the Senator might.

Mr. President, I want to read just one or two other paragraphs from this very significant article in Barron's Financial Weekly, a magazine so reputable that certainly the American public is reading it generally now. The article contains charges so voluminous that the Department of Defense cannot ignore making an early and specific reply to the article.

If, in fact, it is in error, all of us should know about it now. If it is remotely true, we had better correct this billion-dollar blunder under the label of TFX and F-111, because blunder it is, if these facts are true.

Mr. President, let me read one other paragraph. I hope that Senators, having heard these samples of what is contained in the article, will take the article from the CONGRESSIONAL RECORD and read it carefully and file it away for future reference, because the defense of freedom may depend upon the decision we are going to make in connection with this plane.

The article reads:

As recently as last May the service put the eighth of its General Dynamic F-111A models through an exhaustive series of tests, under all but total security wraps, at Eglin Air Force Base in Florida. Memoranda circulating in the Pentagon since then have made clear to the top brass that the plane is no match for the Communist MIG-21.

There is something that is pretty specific.

Are those memorandums in circulation? If so, who is behind them? Does the Secretary of Defense accept or reject them, and upon what basis? Upon what should Americans depend as we read the dreary news from Vietnam as our best planes are being shot down by Russian Mig's and missiles in the war waging over there?

This is serious business. Surely, before appropriating money, we should protect our national security as well as the Treasury of the United States by passing some kind of prohibitive language which will preclude spending a dime of this money for further procurement of this plane until and unless the Commander in Chief himself certifies to Congress that the planes have been developed and tested and tried and that he is willing to ascribe to the fact that they are needed and desirable for the national defense of this country.

It is for that purpose that the chairman of our committee and the members of the subcommittee will urge the Senate to agree to an amendment to the appropriation bill before it is passed today or tomorrow or later in the week.

Mr. President, I yield the floor.

Mr. HARRIS. Mr. President, as a member of the Permanent Subcommittee on Investigations, I have listened carefully this afternoon to the remarks of our distinguished chairman, the Senator from Arkansas, and of the distinguished ranking majority member, Senator from Washington [Mr. JACKSON], and of the distinguished ranking minority member of the subcommittee, the distinguished Senator from South Dakota [Mr. MUNDT].

I join with them and say that the recent press reports about the TFX matter are very disturbing to say the least.

I was not a member of the Senate Permanent Investigating Subcommittee when the TFX hearings were held, so I do not know much about what came out of those hearings. But I do know our chairman, the distinguished Senator from Arkansas. I know that he is honest, he is earnest, he is thorough, he is deliberate, he is dedicated to his country. So I am glad that he has raised these questions. I am glad that he has kept open his hearings on this important subject. I am glad that he has requested GAO to look into the matter more fully. I am glad that he has stated that he will offer an amendment to this bill in connection with this important subject, because I believe the disturbing reports we have read in the press recently about the TFX airplane certainly need authoritative answers. The public and Congress should demand those answers.

CHUNG K. WON

Mr. HARRIS. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives amending S. 642.

The PRESIDING OFFICER (Mr. MONDALE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 642) for the relief of Chung K. Won which was to strike out all after the enacting clause and insert:

That, for the purposes of sections 203(a)(1) and 201 of the Immigration and Nationality Act, Chung K. Won shall be held and considered to be the natural-born alien son of Mr. Won Wing, a citizen of the United States.

Mr. HARRIS. Mr. President, on March 15, 1965, the Senate passed S. 642, to enable the beneficiary to qualify for nonquota status as the minor son of his adoptive father.

On August 2, 1966, the House of Representatives passed S. 642 with an amendment to provide for the beneficiary's admission as a first preference immigrant, which is the same status as that enjoyed by the natural-born sons and daughters of U.S. citizens.

I have spoken with the majority leader, and I state that the amendment is acceptable, and I move that the Senate concur in the House amendment to S. 642.

The motion was agreed to.

TIME TO RECOGNIZE ANTIPOVERTY PROGRAM AS A FLOP

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a column written by Robert Allen and Paul Scott, "Time To Recognize Antipoverty Program as a Flop," which appeared in the Bluefield, W. Va., Daily Telegraph on August 14, 1966.

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

TIME TO RECOGNIZE ANTIPOVERTY PROGRAM AS FLOP

(By Robert Allen and Paul Scott)

WASHINGTON.—With the House shortly to vote on authorizing a $1.75 billion antipoverty budget for the current fiscal year, it is time for the legislators to squarely face up to the inescapable fact that this costly program is a gigantic bust and should be discarded.

President Johnson has sternly lectured congressional leaders on the imperative need for stringent economy to meet the steadily soaring outlays for the Viet Nam conflict and to curb threatening inflation. For once, he is absolutely right.

And by the same token, no better start could be made on slashing needless government expenditures than by junking the immensely expensive antipoverty boondoggle.

At one stroke, $1.75 billion in exceedingly dubious and wasteful spending could be

saved. It's a perfect opportunity for Congress to meet the President's sound demand for economy, and simultaneously get rid of one of the most chaotic, extravagant and trouble-racked experiments in years.

That would be an immeasurable boon to the economic and fiscal stability of the country, and an end to a disgraceful snafu.

Conceived in politics as a Democratic electioneering gimmick in the 1964 presidential campaign, the antipoverty program has cost taxpayers more than $2.3 billion with no evidence of having made the slightest impact on poverty anywhere.

The great seething centers of urban poverty remain utterly untouched. Nowhere can a single sentence be cited where poverty has been significantly alleviated.

The irrefutable proof of that is the almost daily riots and violent outbreaks—attributed in most cases to racial and civil rights factors. But indisputably underlying causes also are grinding want, joblessness and despair.

The various superficial projects the antipoverty program has undertaken in a groping effort to cope with these highly volatile conditions have either been fantastically expensive for the meager and questionable results, or have bogged down in a welter of dissension, mismanagement, incompetence, bungling, chiseling, squandering and numerous other failings and abuses.

A striking illustration of the basic incoherence and fallibility of the program is the fact that its top echelon has undergone virtually a 100 percent turnover in its two-year existence. Director Sargent Shriver is the only original executive still remaining—and the inside word is he will depart after the November election.

Also in recent weeks, a number of Job Corps and Community Action officials have thrown up their hands and quit in frustration and disgust.

To date, the anti-poverty program has spent more than $55 million in salaries alone. Some 1,500 workers get more than $10,000 a year; of this number, 18 receive more than $25,000; 17 others more than $22,000; 19 others more than $19,000; 29 others more than $15,000. By contrast, of the approximately 300,000 U.S. troops in Viet Nam, less than 2,500 officers are paid $10,000—the basic pay of a colonel with 14 years' service. At least 25 anti-poverty officials receive more than General Westmoreland, commander in Viet Nam.

A rundown hotel in Charleston, W. Va., was leased for $94,800 a year as a Women's Job Corps center. In addition to paying all taxes and insurance, the government also spent $225,000 to renovate the building, which real estate brokers value at $250,000.

Of the 208 members of the staff of the Camp Gary, San Marcos, Tex., Job Corps center drawing salaries over $9,000 all are being paid an average of 57 per cent above their previous salary. Twenty-two of them are getting more than double what they formerly got.

A vicious fight occurred in a dormitory at the Mountain Home, Idaho, Job Corps camp. A corpsman was brutally beaten and slashed and stabbed for playing a radio. Subsequently, it came to light that the assailant had three felony convictions, plus a parole violation. Notwithstanding, the Job Corps paid for an attorney, bail and psychiatric treatment for him. When the victim was released from the hospital, he was so mistreated and threatened by the assailant's friends at the camp that he was forced to leave.

For several months residents of New Bedford, Mass., were annoyed and abused by enrollees at the Rodman Men's Job Corps Center. A near-riot and instances of violences at the center caused New Bedford authorities to formally demand that President Johnson close down the camp.

Every major project of the anti-poverty program has been a shambles of chaos and turmoil. This bedraggled and wasteful record speaks for itself, as follows: most controversial, confused, mismanaged, extravagant and ineffectual. An early pamphlet issued by Shriver's office titled "Community Action—A Hometown Fight," proved to be ironically accurate.

Community Action programs throughout the country have been characterized by endless internal feuds and dissensions, clashes between politicos and the poor, lack of involvement of the poor at all levels, fiscal irresponsibility and chicanery, high-salary grabbing, waste, mismanagement, abuse of funds and other scandals.

Even Headstart, widely hailed as the most successful of the anti-poverty programs, has been skidding into the same trough of bureaucratic muddling and bungling. It has seriously suffered from shifting eligibility criteria and other major defects.

As a consequence, there have been a number of instances where a high percentage of far-from-poor-and-disadvantaged children have been included in the program.

The Senate Labor Subcommittee considering the new anti-poverty budget feels so strongly about this gross snaufuing that it has voted to shift Headstart to the Office of Education. There is strong likelihood this will be approved by Congress.

Whether Congress, with its eye on the November balloting, has the statesmanship and courage to ditch the wasteful and scandal-riddled $1.75 billion anti-poverty boondoggle is doubtful. There is a lot of political boodle in that huge grabbag.

But the fight to end it should be made—and will be to the lasting credit of those legislators who make it.

PROBLEMS CREATED BY PRIVATE RULINGS REQUESTED BY IRS

Mr. GORE. Mr. President, several weeks ago I learned that a private ruling was being sought which would, in effect, permit Continental Oil Co. to acquire Consolidation Coal Co., one of our largest coal producers, with pretax dollars. I addressed the Senate upon this subject on June 8.

Though I would not bar the issuance of all advance rulings, since in some instances they are useful, if not necessary, in effective tax law administration, nevertheless, evidence of abuses, or questionable practices, as well as the multiplicity and magnitude and importance of private rulings, has been mounting and it seems to me there are at least two reasons which would properly prompt greater reluctance on the part of the Internal Revenue Service to issue advance rulings and to promote a greater concern about this practice on the part of the Congress.

First, questionable transactions, many of which would not be risked in the absence of advance approval, via ruling, are encouraged.

Second, private bargaining instead of strict compliance with the law is encouraged. This is not conducive to fair and good tax administration. The all-time low in this regard, in my opinion, was experienced in the final negotiations on modifying the Du Pont-GM ruling where law and principle were blatantly discarded in favor of an outright bargaining over dollar amounts.

Advance rulings should not provide a sanctuary for those who wish to engage in a questionable practice, but who seek the security of having the umpire call a strike before the ball is even pitched.

The ruling that is sought in this instance is a particularly important one. If given, practices which, however questionable, have already been applied within the petroleum industries would be extended to another basic fuel area. I think rulings permitting ABC type transactions within the oil and gas industries are of questionable legality and surely inequitable. I find no basis in either precedent or law for extending these rulings to coal and other minerals.

I wish to suggest that vast economic and social issues are involved when the oil and gas industries, already enjoying preferential tax treatment, are given the privilege, by private ruling, to make capital acquisition of another basic fuel with tax-free dollars. This is not a question of a financial merger of bankrupts or the acquisition of a bankrupt concern. Consolidation Coal is a going concern with profitable returns. The tangible results of the ruling in question will be a tax saving of hundreds of millions of dollars which in my view, would be preferential treatment.

IRS appears to be leaning toward the granting of this private ruling for no better reason, so far as I have heard, than that favorable rulings have heretofore been given to ABC transactions within the oil and gas industries and that it is advisable to have continuity of rulings. This line of reasoning is hardly sustainable.

In the first place, a private ruling is requested and proposed. Taxpayers generally are not entitled to rely upon private rulings handed down for another taxpayer. Neither is a taxpayer entitled to an advance ruling on his particular proposed transaction on the basis that some other taxpayer has been favored with a similar ruling. The pending transaction has not been completed. Therefore, no damage will have been done if a ruling is denied.

Moreover, rulings, even regulations, are frequently modified or reversed. Such reversals and modifications have recently been made with respect to education expense, swap funds, cash discounts being included in gross income from mining, and the Abercrombie decision having to do with accrued interest. I see nothing wrong with the reversal, per se, of a line of private rulings.

But even more importantly, there are many points of difference between ABC type of transactions in oil and gas, on the one hand, and in coal and other minerals, on the other. In the case of petroleum, for instance, lifting costs are minor as compared with the costs of mining coal. In the case of petroleum, many costs are, by statutory law, allowable as expenses. In the ordinary ABC transactions, the production payment is paid out of a fixed share of production, whereas in the pending case, it is proposed to be paid out of profits.

For all these reasons, it is perfectly clear that the taxpayer is not, in this

case, entitled to the requested ruling either as a matter of right, precedent, equity, or any other principle. At the very least, extension of approval of ABC transactions outside of oil and gas and into other basic industries, particularly in the instant case, involving half a billion dollars, calls for a very hard look. A transaction of this magnitude and with such import to tax law and with such economic consequence would, it seems to me, require careful and public consideration by the U.S. Congress.

Mr. President, this great benefit, which may hold such far-reaching social and economic consequences, is about to be given with a secret ruling, without benefit of hearing, without benefit of public debate, without benefit of action by Congress.

I have introduced a bill to forestall such a ruling. I call upon the Internal Revenue Service, I call upon the Commissioner of Internal Revenue, I call upon the Secretary of the Treasury of the United States, and I call upon the President of the United States to withhold the granting of this special tax favoritism until Congress can take action.

PROPOSED FIREARMS CONTROL LEGISLATION

Mr. DODD. Mr. President, this morning a number of my colleagues took to the floor of the Senate to attack and criticize the administration's firearms control bill which I introduced almost a year and a half ago.

It is not my intention this afternoon to specifically answer their arguments point by point.

Rather, I intend to set forth a positive case for favorable action by the Judiciary Committee when it meets tomorrow morning to consider this bill.

Only 2 weeks ago, the Nation was horrified by the incredible massacre of 16 persons at the University of Texas. Surely, this was one of the most shocking atrocities in the history of this country.

But as shocking as that may have been, our citizens should realize that an equally shocking occurrence takes place every day in this country. It must not be forgotten that 15 persons are murdered by guns every single day of the year. Surely, this is also a massacre—a continuing massacre, far more serious in its tragedy and in its implications for the Nation than the mass shooting in Austin.

I find it is surprising when in private conversation I cite this statistic. Every day 15 people in this country are murdered with firearms. The fact that 16 persons were murdered at the University of Texas is a heartbreaking tragedy that is just an additional massacre on that day. Fifteen people a day being murdered by firearms is something to be shocked about, in my opinion, and it is a kind of continuing massacre.

Just last week in my home State of Connecticut, another man went into a frenzy with a gun in his hand and shot four persons.

The misuse of firearms each year brings death, injury, and untold suffering to many thousands of innocent Americans.

This senseless carnage, this awesome waste of human life, is bound to continue so long as the inadequate laws of this country make it possible for those who will not or cannot be held responsible for their own actions to obtain pistols, rifles, shotguns, and even heavy artillery.

Last year over a million firearms were ordered and sold through the mails. Thousands of these were delivered to immature juveniles, criminals, drug addicts, and emotionally disturbed individuals.

During this same year firearms took the lives of 17,000 Americans. Over 5,500 of these deaths by gun were the result of actual murder. The remainder were said to be due to accident and suicide. In addition, last year witnessed the commission of 65,000 robberies and assaults by means of a gun.

No one will ever convince me that there is not a direct relationship between the unrestricted sale of lethal weapons and the increasing number of deaths and injuries by firearms.

The facts point to a single conclusion: When murders, robberies, beatings, and maimings occur every 2 minutes in the United States, the privilege of handling firearms must be restricted—within the limits of reason and justice—to those who can handle them safely and responsibly.

Congress can do something to help prevent future unnecessary tragedies.

More important, I believe the American public wants us to do something, and to do it soon.

The firearms bill which is now pending before the Judiciary Committee is a modest and certainly reasonable piece of legislation.

This bill, S. 1592, is the end product of 5 years hard work and intensive study of the sale, transportation and use of firearms throughout the Nation.

The firearms bill has been endorsed by President Johnson, by the American Bar Association, by law enforcement officers across the country, by major newspapers and magazines and by innumerable religious and civic groups.

Moreover, 70 percent of the individual Americans who were polled on the issue said that they favored this legislation.

Of the 30 percent who said they were opposed to stricter controls over the indiscriminate sale of firearms, I am sure that many of them have been misled by the deliberate, obvious, and concerted effort of a small minority to confuse and distort the entire issue.

The national gun lobbies have saturated the country with erroneous descriptions of this bill and what it would do.

They have claimed, falsely and dishonestly, that sportsmen will no longer be able to take their rifles across State lines.

They have claimed that S. 1592 actually amounts to a Federal gun registration law.

They have even gone so far as to claim that enactment of this legislation would be the first step toward the abolition of private ownership of guns.

These claims have absolutely no basis in fact, as can be seen by even a casual perusal of the provisions of the bill.

Just what would the bill do and what would it not do?

The bill would not prevent the hunter from hunting.

It would not prevent the gun collector from collecting.

It would not prevent the legitimate, responsible gun enthusiast from pursuing any aspect of the hobby which he now enjoys.

However, it would prevent a 13-year-old from clipping an ad from a magazine and ordering a World War II antitank gun through the mails.

And it would prevent a convicted felon from traveling from one State to another to buy a revolver for use in still another crime, and it would make it more difficult for him to purchase a rifle or shotgun.

The wide open traffic in firearms, which makes an unlimited arsenal available to almost anyone, must be brought under some reasonable controls.

My bill could do this, and do it without restricting or unduly inconveniencing legitimate sportsmen and our responsible citizens in general.

Specifically, the firearms bill, S. 1592, would prohibit the interstate mail order sale of pistols and revolvers to individuals.

It would set a minimum age of 21 for the purchase of handguns.

It would ban over-the-counter sales to persons who are not residents of the State in which the dealer conducts his business.

With respect to rifles and shotguns, this bill would regulate the interstate sale of such weapons by requiring a potential buyer to execute an affidavit setting forth that he is not a convicted felon, and that his purchase of the weapon would not be in violation of local laws. A copy of this affidavit would then be furnished to the highest ranking law enforcement official of the purchaser's own place of residence.

In addition the sale of these firearms would be limited to persons 18 years old and over.

Despite these facts, this well-organized, well-coordinated, and well-financed lobby against the firearms bill continues to express its unlimited constitutional concern over the rights of the innocent to possess guns.

One spokesman told a Senate committee that a few murders and accidental deaths at the hands of gunmen is the price this country must pay to maintain each citizen's constitutional right to keep and bear arms.

What manner of madness is this?

The price they will have us pay is not several deaths, but several thousand deaths and many more injuries each year.

What a dreadful and absurd price to pay—and for what—to perpetuate the fallacious and dangerous notion that firearms legislation would deprive the individual of his rights under the second

amendment and render the civilian population defenseless.

Let us consider their arguments with respect to the second amendment.

First of all, a series of Supreme Court and lower court decisions have disproved their basic premise that the second amendment to the Constitution guarantees every citizen the fundamental right to go about fully armed.

Second, the provisions of S. 1592 do not abridge or encroach upon those rights which are conferred by the second amendment.

And third, I fear for America if our future security depends not on our Armed Forces and our law enforcement agencies, but on untrained civilian warriors who must have unlimited access to the weaponry of the world to defend their country.

Yet, this is the absurd type of reasoning which has influenced our gun laws, or rather our lack of them, for so long.

The Federal gun laws are in deplorable condition because every serious attempt to change them over the last 30 years has been shouted down by the gun lobbies, who stand prepared to do almost anything to gain their objectives.

Something is wrong when 17,000 people die by guns every year victims of murder, suicide, and accidents.

Something is wrong when more Americans are shot to death in our own streets in 1 year than have died serving their country in Vietnam.

Something is wrong when a small minority of our population represented by an even smaller group of organized lobbyists, can effectively block sensible, needed gun control legislation.

Mr. President, no legislative measure passed by Congress ever completely wipes out the problem it is enacted to overcome. Laws are not magic, and we should not expect the firearms control bill now before the Judiciary Committee to create a 100-percent guarantee against the kind of gunfire that struck down 46 people in Austin, Tex.

But every law that we pass is a part of the slow but determined process of reshaping, of protecting, and of improving our society according to the needs and the requirements of the times in which we live.

We know that gun laws and regulations do work.

They are a deterrent to crime, and particularly to murders committed with guns.

The hard fact is that in those States with intelligent gun control laws, murder by gun is much less frequent than in those States with no controls or ineffective controls.

Let us look at the gun murder rates for the last 4 years in several States which have effective gun controls:

In Pennsylvania, gun murders made up 43 percent of the total.

In New Jersey, it was 39 percent.

And in New York, with the most stringent law in the country, it was a relatively low 32 percent.

All of these States are significantly below the national average of 55 percent.

How do States with little or no firearms laws compare with this record?

In Colorado, 59 percent of the murders were committed with guns.

In Louisiana, it was 62 percent.

In New Mexico, it was 64 percent.

In Arizona, it was 66 percent.

In Montana, it was 68 percent.

In Texas, it was 69 percent.

And, in Nebraska, it was 70 percent.

All of the above States show percentages which range as high as 15 percent above the national average, and as high as 38 percent above New York City, with its Sullivan law.

In addition, gun murders in this country are increasing every year.

In 1963, there were 4,760 gun murders.

In 1964, there were 5,090 gun murders.

And, in 1965, there were 5,634 gun murders.

In the 3 years combined, over half of the 30,000 persons murdered in this country were killed by gunfire.

In the fact of these statistics and the serious increases in crime in the last 4 years, even the most skeptical of gun enthusiasts should be willing to admit that gun laws, as a deterrent to the misuse of firearms, do in fact work.

To say otherwise is to exhibit a total disregard for the facts.

Yet those who have opposed my efforts to secure enactment of effective Federal gun control seem oblivious to the realities of crime and law enforcement in this country.

As a result of loose firearm control laws many thousands of Americans who could still be alive, lie dead today. Nothing can be done for them.

It is on behalf of the living, whose lives may yet be lost, that we must now act. Even while we hesitate here innocent lives are everyday taken by madmen and criminals armed with guns which they have obtained often without restraint or control of any kind.

We have a bill before the Judiciary Committee which, as part of the slow process of social change and social improvement, could begin to reshape the primitive attitudes of some of our people toward the use of firearms.

The young man in the Texas tower was a victim both of his own and of our society's pathology. And in the web of life in which few things are unrelated, we all share the blame for his plight and for the fate of the people whom he sent to their deaths.

If we pass this bill in this Congress, we can begin to mold a society for future generations—a society in which no young man will be so conditioned by a perverse attachment to firearms, and the hostility and violence which this engenders, that, in the throes of mental illness, he will resort to mass murder by guns to escape the terror of a darkened mind.

The legislation many of us have worked on for so long is ready. The question is, is this Congress ready to consider this long-overdue step that will carry us out of the era of the frontier and put us in step with the rest of the civilized world?

In no other country in the world that I know of which claims to be civilized does a situation exist like that which prevails in our country. In most countries the situation is far superior in the sense that there is better control over using, possessing, and owning firearms.

In my opinion Congress is ready for this action and I hope that it will soon take action.

VETERAN OF VIETNAM FED UP WITH U.S. EFFORT

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an article from The Arizona Republic, of Phoenix, Ariz., entitled "Vietnam Vet Fed Up With U.S. Effort."

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

VIETNAM VET FED UP WITH U.S. EFFORT

(By Robert J. Sarti)

A young, decorated veteran of the Vietnam fighting is on his way back to the war zone today, but he's bound never to shoulder a rifle again—at least not in Southeast Asia.

For poetry-writing, philosophy-reading Spec. 4 Paul Edwin Fritz of Tempe, a former John Birch Society member and two-time volunteer for duty in Vietnam, is now dead set against U.S. policies there and he's willing to go to jail in support of his convictions.

"I will fight to defend my country because I love my country," says Fritz, who won't be 20 until next month. "But nobody has been able really to show me that we are defending the United States of America over there."

Fritz, who graduated in 1964 from Mesa High School, fought through 11 months in Vietnam, was wounded twice and won the Bronze Star and the Purple Heart. But when he arrives at his base tomorrow he intends—on the advice of his lawyer—to request conscientious objector status immediately and a transfer to noncombatant duty in some other part of the world.

For the former high school track star and football player, the U.S. involvement in the Vietnam struggle is indefensible legally, morally and pragmatically. At the same time, he contends, it has led to a distressing tendency toward conformity and intimidation at home, where the greatest threat to our freedom lies.

"We're trying to stop communism in Vietnam," he says, "but the governments we've been supporting there are so rotten and corrupt that they actually make the Communists look appealing. We've failed to spread anticommunism effectively, but we have succeeded in making the Communists more hardcore and in turning many neutralists into Communists."

Fritz does not condone the acts of terrorism committed by the Vietcong, but he believes he understands why the Communist atrocities have had less adverse propaganda effect than ours.

"The Vietcong are not alienating the people of South Vietnam because they are the people, they are Vietnamese," he says. "They are Orientals fighting against Occidental Caucasians—us. Race is playing an important part in this war, and the people there are beginning to hate all white men."

Fritz says he has seen and participated in attacks which have destroyed a peasant village on the scantiest evidence of Viet sympathizers there. He also claims direct knowledge of the use of torture by both sides.

He says it is this kind of activity which, regardless of U.S. intentions, has disenchanted many Vietnamese with their American allies. And it is just this sort of military action which indicates to Fritz that,

despite administration statements to the contrary, the United States is more interested in winning the war than in negotiating an end to hostilities.

"Militarily, we can win this war by invading North Vietnam and colonizing it," he says. "But we would have to burn it to the ground and then rebuild, just as we did Nazi Germany.

"It's for this reason that I oppose our stand on moral as well as pragmatic grounds. What we are doing there, in effect, is waging a war against the Vietnamese people and not, as we would like to believe, for democracy and against communism."

Fritz also has what he calls "legal" reasons for opposing U.S. involvement, reasons which involve such documents and historical events as the U.S. Constitution and the Geneva Conference of 1954.

He says, for instance, that when the "despotic" Ngo Dinh Diem originally invited U.S. troops into the country, it was as if we had issued the invitation ourselves.

The dry legal arguments, though, are window dressing for Fritz in comparison to the more basic moral and pragmatic problems. Whereas the former were culled from books, the latter were the result of contacts with the Vietnamese people and his own personal soul-searching.

Three days after graduating from high school he enlisted in the Army because "I had no idea of what I wanted to do and I knew they would be getting me anyway." While stationed at Ft. Hood, Tex., last July he volunteered for combat duty in Vietnam.

"I had been in the Army a little better than a year and I was bored," he says. "I was 18 then and the romantic aspects of the war, as well as the better pay and possibilities for promotion, seemed pretty attractive.

"If I'd written down a list of why I wanted to go, patriotism would have been pretty far down. Actually, I felt I was a professional soldier and I just wanted to do my job, which was to fight."

Fighting was what he did for 11 months, and last month he asked for an extension of his term of duty in Vietnam. But, in the meanwhile, he had sought out many Vietnamese students in Saigon to learn their views of the war.

"I was curious about the young Vietnamese and when I got to know them I found out that they didn't support the Saigon government. They are fiercely nationalistic and they resent foreign domination; whether ours or the Communists."

Fritz says that the students, most of whom were Christians, explained to him that the current war is an extension of one which has been continuing for 20 years, and all with the same objective: elimination of foreign influence.

"From my experience and from contacts with the enemy and from past published reports, I found that the ratio of Vietcong to North Vietnamese is about 9-to-1. The impression that we get in this country is that it's an all-out invasion, when actually it's a civil war."

Fritz is in favor of unilateral American withdrawal from Vietnam. Then the Vietnamese (North and South are really one country, he says) could decide their own fate.

"I believe the Vietnamese people are so fiercely independent that they would throw off any foreign invader," he says. "If communism took over, it would be a Vietnamese communism and would suit their needs, or they would overthrow it. After all, they hate the Chinese."

Fritz sees little danger in the "international Communist conspiracy," although he stands ready to fight if this country is invaded or seriously threatened. He is quite alarmed, however, at what he considers to be the "drift away from individual responsibility" by Americans.

It is a theme which has concerned the discerning "Christian agnostic" for several years and which had got him interested originally in the Birch Society and the presidential candidacy of Barry Goldwater. He now says he is less dogmatic, but still sees disquieting signs in such events as the civil rights acts and the big-city riots.

"Our greatest enemy is apathy and loss of individual responsibility," he says. "I don't think we have anything to fear from direct armed invasion, but I do think there is a possibility of an internal breakdown due to the downgrading of morality."

Facing up in the last few weeks to what he sees as his own responsibility, Fritz now hopes the Army will allow him to follow the dictates of his conscience while still doing his duty. He hopes to get an honorable discharge eventually and to go to college.

"I want to serve my country in the best way I can and still keep my moral integrity," he says. "The next 90 days probably will tell whether I'll be allowed to."

Mr. MORSE. Mr. President, the article points out that the veteran, who fought in Vietnam for 11 months, is seeking to be classified as a conscientious objector because he has come to the conclusion that our war in Vietnam is immoral, unjustified, we are not wanted there, it is a civil war, and we have no business there. He has announced that he refuses to do any more killing and is asking to be reassigned as a conscientious objector.

OREGON'S FOREST FUTURE

Mr. MORSE. Mr. President, it is well known in the Senate that during my years of service here, I have sought to prevent the mowing down of the great forests of my State by predatory economic interests that put the profit dollar above the rich profits that generations of Americans have a right to enjoy as trustees of the natural resources of their country, in this instance, our forests.

In the past several weeks, I have used my desk in the Senate to warn the people of my State and the country that there are signs of renewed effort on the part of certain predatory economic interests to seek to devastate our forests by unwise cutting practices.

I add an additional, brief chapter to this account this afternoon, but I shall continue to speak out periodically in opposition to those predatory economic forces in my State which have designs upon our forests and who take advantage of every opportunity to follow a nonconservation practice in respect to the cutting of timber.

Mr. President, questions involving forest policy, especially on the national forests administered by the Forest Service and lands administered by the Bureau of Land Management in Oregon, are subjects of lively interest in my State. This is to be expected because Oregon is the largest timber State in the Nation and its national forests and other Federal forests are most productive.

Unfortunately, issues come up from time to time on which the facts are not available and many well-meaning people are misled. When people fail to understand the facts, the solutions they seek may be erroneous.

Earlier, I instructed members of my staff to undertake an analysis of timber issues in Oregon. However, this matter became so complex that I decided to turn to the Forest Service for some further facts. Later, I consulted on the same topic with the Bureau of Land Management.

Out of this consultation grew a staff paper, entitled "The Timber Supply and Demand Situation in Western Oregon," which has been prepared jointly by the Forest Service and the Bureau of Land Management.

I make these preliminary statements because in this period a new Bureau of Land Management Director—Mr. Boyd Rasmussen—has been appointed. He came from a long background in the Forest Service. Lest anyone should get erroneous ideas when I say that the staffs of these two great conservation agencies have worked together in producing this fine joint effort, I should point out that this cooperative effort does not presage a merger of the Forest Service and Bureau of Land Management.

There are some people in my State who are trying to read into Secretary Udall's selection of Mr. Rasmussen to head the Bureau of Land Management, their own ideas or fears of what this may mean.

I want it clear that this joint paper was prepared because I asked these two agencies to cooperate.

There is a great deal of discussion in various segments of the timber industry about allowable cuts, speed-up cutting in public forests, and the export of logs from Oregon.

The excellent paper that was prepared for me highlights the basic and controlling facts.

LOG EXPORTS

First. One significant fact for those who are concerned about log exports is that in 1965 they totaled 2.7 percent of total log production in Oregon or 199 million board feet of logs.

Second. Only three Oregon ports export logs.

Third. One hundred and eight million board feet of these exports were shipped from Astoria which is 60 miles from the nearest Federal forests. Thus, practically all of these logs probably were from private lands.

Fourth. Two-thirds of the logs shipped from Coos Bay—29 out of 45 million board feet—were Port Orford cedar, a log traditionally exported.

This log, incidentally, does not have any great commercial demand in our own country. It is a type of log which is used in some foreign lands, but has a difficult time competing in this country with more desirable types of lumber.

Fifth. Federal timber exported probably accounts for less than 1 percent of the log production in Oregon. Yet the protesters in regard to log exportations tend to lead one to believe that quantitatively this is a matter of great importance and concern to the lumber industry of my State. The facts presented in this joint paper would not seem to bear out their fears.

Those who think it would be wise to control log exports through controls on logs exported from Federal forests ought to weight these facts.

In addition, Secretary of Commerce Connor's letter of August 8 to my colleague, the Senator from Washington [Mr. MAGNUSON], on the fact that the log exports do not meet the short supply criterion, is a significant document for study by those who would control log exports.

Secretary of Commerce Connor's letter to the Senator from Washington [Mr. MAGNUSON] appears in the joint study which, just before closing my remarks, I shall ask to have printed in the RECORD.

ALLOWABLE CUTS—SUSTAINED YIELD

It is significant that the Forest Service and Bureau of Land Management reaffirm their support for maintaining sustained-yield under the even-flow concept. They point out that there are opportunities to increase the cutting of timber by salvaging mortality in old stands, undertaking thinnings in young stands, and adopting other steps which intensify their management of the forest.

The Forest Service-BLM staff paper points out the growing inroads that have been made on private timber stocks and the fact that private timber stands will be further depleted. This is a matter which will require conscientious study in my State, because it points up the seriousness of our timber supply situation at present, and for the future.

Some people take the position that the timber supply should meet the needs for the installed industrial capacity dependent upon the timber. Others argue that the installed industrial capacity cannot continue to use more than the land can produce under foreseeable levels of management.

The heavy inroads already made and projected for private timber also raise serious questions about community stability as private stocks are further depleted.

What is the public responsibility and what is the private responsibility? In my view both public and private officials need to develop a mechanism for coming to grips with this issue. It is the root of the dilemma that confronts our State. It is the cause for some of the bizarre suggestions and panaceas that are being advanced as "solutions."

The staff paper to which I have alluded lists the sources of data used. They are too voluminous to print in the RECORD. However, should anyone wish to obtain them I shall be pleased to direct them to the proper source of these publications.

I ask unanimous consent that there be printed at the conclusion of my remarks my letter, of August 10, 1966, to the Chief of the Forest Service which is identical to a letter I addressed on the same to the Director of the Bureau of Land Management, and the text of identical replies I received from Associate Director Greeley of the Forest Service and Director Rasmussen of the Bureau of Land Management, dated August 15, 1966.

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

(See exhibit 1.)

Mr. MORSE. In addition, I ask unanimous consent that the text of the Forest Service-BLM paper entitled "The Timber Supply and Demand Situation in Western Oregon," be printed in the RECORD at the conclusion of my remarks, along with related correspondence.

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

(See exhibit 2.)

Mr. MORSE. At this time I want to express my appreciation to the chief of the Forest Service, Mr. Edward Cliff and Director Boyd Rasmussen for the work they and their staffs undertook at my request. I shall look forward to the constructive comments that people in my State may wish to offer, along with their ideas on how to achieve conservation goals in the proper management of our Federal timber.

EXHIBIT 1

AUGUST 10, 1966.

Mr. EDWARD P. CLIFF,
Chief, U.S. Forest Service,
Department of Agriculture,
Washington, D.C.

DEAR MR. CLIFF: Recently a number of my staff called upon your office for consultation and assistance in connection with the preparation of an analysis of the timber supply situation in Western Oregon, with special reference to allowable cuts and log exports. I wish to take this opportunity to express my deep appreciation for the very fine work that was rendered by your staff in connection with this problem. The issues are so complicated and technical that I would have encountered real difficulties in properly evaluating these problems had it not been for the outstanding help and cooperation of your office.

I was so impressed by the final form of the analysis mentioned above that I would like to have a joint paper prepared by the Forest Service and the Bureau of Land Management setting forth the highlights of the Western Oregon timber supply situation in a form suitable for use in a Senate speech, the text of which will be issued for general release.

Because I regard time as being of the essence, if it would be possible for you to supply this paper by August 15, in a form comparable to that in which your staff prepared the analysis mentioned in paragraph one, it would be most helpful to me. As you may recall, the analysis to which I allude was the one which staff members of the Forest Service and the Bureau of Land Management reviewed with my Administrative Assistant, Mr. Berg.

With appreciation and best regards,

Sincerely,

WAYNE MORSE.

AUGUST 15, 1966.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: This is in response to your identical letters of August 10, 1966, to us and the Director of the Bureau of Land Management, requesting a jointly prepared analysis of the timber supply and demand situation in western Oregon, copy of which is enclosed.

Within the time available, it has been necessary to prepare this paper by highlighting existing published material. This material, cited at the conclusion of the report, more fully portrays the situation. Anyone using this highlight report, particularly if they wish to go into the subject in detail, should utilize the source documents.

Likewise, within western Oregon there are various local situations. This statement is designed to fairly reflect only the overall western Oregon picture.

We appreciate the compliment you have paid our staffs. In fulfilling our obligation to assure the most effective resource management, we believe it is essential that there be public understanding of the capabilities as well as the limitations that exist. We hope this paper aids in presenting the picture objectively.

Should there be further facts we can usefully provide, we will do so.

Sincerely yours,

Enclosures.

A. W. GREELEY
Associate Chief, Forest Service.
BOYD L. RASMUSSEN,
Director, Bureau of Land Management.

EXHIBIT 2

THE TIMBER SUPPLY AND DEMAND SITUATION IN WESTERN OREGON

(Prepared by the Bureau of Land Management, U.S. Department of the Interior, and Forest Service, U.S. Department of Agriculture.)

This statement summarizes the present and prospective timber supply and demand situation in western Oregon with special reference to log exports. It has been based on information published in a number of recent studies of the national and regional timber situation and official correspondence.[1] Anyone interested in exploring the situation in depth should go to these primary sources.

PROJECTIONS FOR A GROWING NATION

Recent projections indicate that the population of the United States will reach 260 million people by 1985. Related projections show that gross national product, disposable personal income, and construction expenditures will double; industrial raw material use rise 1½ times; and construction material consumption increase 55 percent in the same period.

Timber products. The demand for timber products is also expected to grow rapidly. By 1985 the demand for plywood and pulpwood will be about twice 1962 levels, and lumber demands will increase 20 percent. Net imports will rise, but most of the demand for roundwood will come from domestic forests. The timber cut from growing stock is projected to increase about 50 percent.

Pacific Northwest.[2] The timber and land resources of the Pacific Northwest indicate it will continue to supply an important part of the Nation's wood needs. This region contains 46.1 million acres of commercial forest land and 875 billion board feet of softwood sawtimber (42 percent of the national total), much of which is of large size and good quality. The timber-based industries produce half of the Nation's softwood lumber, 90 percent of its softwood plywood, and a quarter of the pulpwood. Logging and manufacturing production costs are favorable.

The public agencies have 58 percent of the commercial forest area and 70 percent of the softwood sawtimber volume in the region. This Federal land is managed to produce a continuous supply of timber. Over half of the remaining area in the region is owned by the forest industry segment practicing reasonable levels of forest management.

Western Oregon. Western Oregon has 15.1 million acres of commercial forest land, about a third of that in the Pacific Northwest. These lands contain 411 billion board feet of sawtimber or 45 percent of the region's supply. Western Oregon has about 275 billion board feet of Douglas-fir sawtimber; two-thirds of this, primarily in public forests, is in trees 29 inches and larger in diameter.

Average sawtimber volumes in western Oregon are 27,000 board feet per acre, almost

---

[1] The sources of information are indicated in Exhibit 1, "List of Information Sources." one interested in exploring the situation in depth should go to these primary sources.

[2] The Pacific Northwest is defined as Oregon and Washington.

double that of the Pacific Northwest. The average net annual growth is about 200 board feet per acre, only 40 percent of the almost 500 board feet per acre being realized in western Washington. This difference is largely due to the large reserve of old-growth timber in the forests of western Oregon.

Prospective timber harvest. The current allowable cut on western Oregon's National Forests is 2.3 billion board feet; this is projected to rise to 2.5 billion board feet by 1985. On other public lands in western Oregon, primarily the Bureau of Land Management's, the current allowable cut is 1.5 billion board feet; this is projected to increase to 1.8 billion board feet by 1985. Additional supplies of timber will come from materials not now considered as part of the live sawtimber allowable cut—the mortality occurring in old-growth stands and thinnings from oncoming second-growth stands.

The current cut on private lands is 4.2 billion board feet. This is expected to drop to 3.8 billion board feet by 1985.[3]

Prospective timber industry development. Log production in western Oregon in the 1960–65 period is shown in the following tabulation:

Log production

[Billion board feet, Scribner log rule]

Year:	
1960	6.9
1961	6.0
1962	7.0
1963	7.1
1964	7.7
1965	7.5

This general level of output has been maintained for the last decade or so. There have, however, been important shifts among uses. The volume of logs going into veneer and plywood and wood pulp has been rising while that going into lumber has declined. These trends are projected to continue for the next two decades.

Employment in the timber-based industries in western Oregon has not changed much in recent years. However, as a result of increases in productivity in the period 1950–1963, the number of employees per unit of timber processed has dropped 20 percent in logging, 42 percent in sawmilling, 50 percent in veneer and plywood, and 36 percent in pulp and paper.

These trends are expected to continue. As a result, employment is projected to drop from about 65,000 in 1962 to 55,000 in 1985—an annual decrease of 480 employees per year. The decline is expected to be concentrated in sawmilling and logging. Increases are anticipated in veneer and plywood, pulp and paper, and "other wood" industries, such as fabrication of component parts for buildings. In western Washington employment is expected to continue at about the present level.

Log exports—Pacific Northwest. One timber supply-stumpage price factor is the increase in log exports since 1960. In 1965 about 900 million board feet (Scribner log scale) or 6 percent of the logs produced in the Pacific Northwest were exported. This was 8 percent above 1964 and about 9 times that of 1960.

Japan, the destination of 86 percent of 1965 shipments, has been the principal market for the increased log exports. However, exports to British Columbia from Washington have increased from 7 million board feet in 1961 to 121 million board feet in 1965.

During the first half of 1966, softwood log exports were 527 million board feet, a rate, if continued, of over a billion board feet per year. Recent reports from Japan indicate that the demand for imported timber is expected to nearly double in the next decade. This may result in further increases in softwood log shipments from the Pacific Northwest.

In contrast to logs, softwood lumber exports from the Pacific Northwest in 1964 were only 338 million board feet—slightly above the 295 million board feet shipped in 1961. Shipments to Japan were 21 million board feet, less than a quarter of the total in 1961.

Log exports—western Oregon. Log exports from western Oregon in 1965 were 199 million board feet (Scribner log scale). This represented 2.7 percent of production. In contrast, log exports in Washington composed about 12.7 percent of production.

About two-thirds of the exports (29 million board feet in 1965) from Coos Bay are Port Orford cedar, a log traditionally exported and not widely used by domestic industries. Douglas-fir exports from Oregon in 1965 are estimated at 32 million board feet. The remaining exports—138 million board feet—are largely composed of western hemlock and the true firs.

[Million board feet, Scribner log scale]

Area	Log production	Log exports	Log exports as a percent of log production
Western Washington	5.5	700	12.7
Western Oregon	7.5	[1] 199	2.7

[1] Oregon log exports originate from 3 ports:

[Million board feet, Scribner log scale]

Ports	Log exports	
	1965	1st quarter, 1966
Portland	46	31.5
Coos Bay	45	11.0
Astoria	108	12.4
Total	199	54.9

Data are not available on the proportion of log exports originating from public and private timberlands. There is very little public timberland within 60 miles of Astoria, the port of major Oregon exports (108 million board feet). The only practical means of putting logs in Astoria for export are either to truck them in or float them down the Columbia past other Washington State ports which are also engaged in log exports. In view of this situation and the large volume of exports from this port, it seems reasonable to conclude that most of the exports from western Oregon come from private timber.

In summary, log exports amounted to 199 million board feet or 2.7 percent of the 7.5 billion board feet of logs produced in western Oregon in 1965. Of the logs exported, 15 percent were Port Orford cedar and 70 percent hemlock and true firs. Only 15 percent were Douglas-fir, the species preferred by local industries. Log exports originating from public lands were probably less than one percent of all the timber produced in Oregon.

CURRENT ISSUES

Log supplies. The log supply problems experienced by many mills dependent on purchased timber have been the source of much controversy in western Oregon and the Pacific Northwest. A number of different and divergent views have emerged.

One view is that the timber supply should meet the needs for the installed industrial capacity dependent upon the timber. The other side of the argument is that the installed industrial capacity cannot continue to use more than the land can produce under foreseeable levels of management.

A second view is that the allowable cuts on public timberlands can be increased substantially. Some proponents urge a radical departure from the concept of even flow of timber on the public forests by a drastic reduction of its sawtimber inventory. These proponents assume that private forests would supply timber during the period when it is necessary to reduce the cut from the public forests, Adherence to sustained yield forestry on private lands is voluntary and is practiced on only part of the private forest land. Public policy based upon statutes requires adherence to sustained yield on Federal forest lands.

The alternative and preferable approach to abandoning the even flow concept on Federal forests is to increase timber supplies through intensification of management practices. There are a number of actions which could be taken. For example, with additional sales financing it would be possible to accelerate offerings of timber not usually included in the allowable cut such as prelogging, salvage, and thinnings in young-growth stands. Acceleration in the construction of forest roads would permit the harvest of such material in presently inaccessible stands. In addition, future timber supplies can be increased by prompt regeneration of harvested stands, by planting nonstocked areas, and by reinforcement planting of poorly stocked areas. Stand improvement measures would also increase the quality and quantity of timber available for future use. All these actions would increase the output while improving growing stock.

LOG EXPORTS

A major contention is that log exports are an important threat to forest products' price stability as well as to the continued operation of Pacific Northwest plants. The data show that the current drain from log exports is small in western Oregon. They also show that the reduction in private timber supplies has had a more important effect on prices and the demand for public timber, which constitutes the major supply of mills dependent upon purchased logs.

Proponents of exports say there are substantial economic benefits to forest landowners, loggers, longshoremen, and exporters, and that exports contribute importantly to local business and employment.

EFFORTS TO REDUCE COMPETITION FOR LOGS

There are several ways of reducing competition for stumpage and logs in the Pacific Northwest.

Agreement on mix of exports. One early suggestion was for the negotiation of an agreement with the Japanese for a mixed trade of logs, lumber, and plywood. Such a trade pattern would be desirable from the standpoint of many mills in the Pacific Northwest. However, it would be necessary at the same time to stabilize total wood exports since any increase in overall demand would further intensify log competition among domestic concerns.

Marketing areas—community sustained yield. There have been a number of suggestions for restrictions on the export of logs cut from public lands. Both under the 1937 O&C Act and the 1944 Sustained Yield Act there are provisions which permit the Secretaries of Interior and Agriculture to create what in effect are marketing areas in which timber must be given primary processing. The Bureau of Land Management had a series of such units in western Oregon from 1946–1955 when they were abolished with the general support of the forest industries. In a few limited instances, the Forest Service has utilized comparable sustained yield units. There is a unit in eastern Oregon.

Secretary Freeman held public hearings in March 1965 on a proposal to create a giant-size sustained yield unit encompassing the Pacific Northwest. This was turned

[3] Figures used here are International ¼" Log Rule.

down in September 1965 on the basis that the 1944 Act was not an appropriate means for controlling log exports.

Small Business Set Asides. Small business set-asides sales have been suggested as another means of controlling the export of logs cut from Federal lands. Under the provisions of the Small Business Act, federal timber may be designated for competitive sales to small business. The regulations define small business as firms with 500 or less employees and provide that only 70 percent of the timber in a sale secured by small business must be manufactured by it. The employment size class for this industry is so large that a great bulk of the firms classify as small business. The Small Business Act was not intended as an export control device and is not a satisfactory means of effecting log export controls.

The use of either the small business set-aside or the marketing acts as export control devices on timber cut from Federal lands would involve considerations beyond the responsibilities of the Departments of Agriculture and Interior. In addition if controls of any kind are initiated on logs cut from public lands, it is likely that the resulting reduction in the export of logs will be partly offset by increases in exports of logs cut from private lands. To be effective, restrictions would have to be placed on all softwood exports.

Export controls. The only existing authority for controls is the Export Control Act of 1949. On February 14, 1964, the Secretary of Commerce, who has the responsibility for administering this Act, placed controls on exports of black walnut logs for a one-year period. Included in the overall goal of that program was the expectation that efforts would be taken under domestic conservation efforts to bring annual consumption of veneer walnut logs close to balance with estimated growth. The Secretary observed at that time that export controls would not achieve meaningful conservation without a concurrent reduction in domestic consumption. One year later he dropped these controls pointing out that they had failed.

On September 22, 1965, after once again examining the basic facts, the Secretary of Commerce reaffirmed his decision to drop walnut log controls. No action had been taken to balance domestic consumption with growth nor did the control operate effectively. He said the Act was not intended as a price control device to benefit one segment of an industry to the detriment of other segments of that industry. He also pointed out that there was no adequate basis on which to use the export control authority for the protection of the domestic economy unless accompanied by meaningful conservation on the domestic side.

Recently Secretary Connor has reviewed the softwood log situation in the Pacific Northwest and the use of the Act to control log exports. The Secretary's conclusions follow:

"The Export Control Act provides for the imposition of export controls on grounds of 'national security,' 'foreign policy,' and 'short supply.' With respect to the latter, export control authority is specifically conferred under the Act 'to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand.'

"The criteria for imposing export controls on grounds of 'short supply' are not met in this situation. First, there is not a shortage of softwood timber nationally or even regionally. The latest available forest survey data, contained in the official report of the U.S. Forest Service, 'Timber Trends in the United States,' indicate vast resources of softwood growing stock on commercial forest land including 2,058,022 million board feet of sawtimber size as of January 1, 1963. On the basis of rising lumber and plywood output since 1963, it is estimated that the current annual cut of sawtimber is close to 40,000 million board feet. Even if the cutting rate should be increased, there is scarcely any prospect that our softwood sawtimber resources face any serious depletion inasmuch as the annual growth increment (which is estimated at about 35,000 million board feet annually) covers the cutting drain to a substantial degree. According to the same Forest Service data, 42 percent of our national softwood timber inventory is located in the States of Washington and Oregon.

"Second, if we consider the current exports of softwood logs from the standpoint of their impact on domestic stumpage prices, it does not appear that such price increases as have occurred in recent years were due primarily to exports. Stumpage prices for softwood timber, as reflected in National Forest timber sales, have fluctuated greatly during the last ten years as a result of various factors including domestic market conditions, timber quality, species composition, accessibility of supply, export demand for logs and others. Log exports represent approximately only 2.5 percent of the total annual cut of softwood timber in the United States. Even if we consider the volume of log exports in relation to total softwood timber cut in the States of Washington and Oregon, such exports represent only about 6 percent. On this basis it is not likely that foreign demand for softwood logs was a dominant factor in the recent increases in stumpage prices."

It seems clear that the criteria in the Export Control Act cannot be met and that new legislative criteria will be needed to impose controls.

International aspects. Any major curtailment of log exports would have an important and undesirable effect on our balance of trade position and entail economic losses in other sectors of the economy in Oregon and Washington. Such a curtailment would also have an unfavorable impact on relationships with Japan—a major market for other U.S. goods. International commitments under GATT require that export restrictions be paralleled by restrictions on domestic consumption.

FEDERAL FOREST MANAGEMENT

Progress in the last decade. Exhibit 2 summarizes major steps taken by the two agencies to intensify Federal forest management. Acres reforested have increased threefold on National Forests and fivefold on BLM lands during the decade. Ten years ago young-growth management was just beginning on public lands in western Oregon. Today it is an important activity in the programs of both agencies. Road expenditures have increased five times on National Forests and doubled on BLM areas. Commercial thinnings are becoming the rule rather than interesting experiments. These things have made it possible to double the volumes harvested annually. Timber revenues have increased, giving added income to communities and support to local industries.

EXHIBIT 1

LIST OF INFORMATION SOURCES

U.S. Department of Agriculture, Forest Service, "Timber Trends in the United States," Forest Resource Report No. 17 (Washington: U.S. Government Printing Office, 1965).

———. "Prospective Economic Developments Based on the Timber Resources of the Pacific Northwest," specifically prepared under cooperative agreement with the Bonneville Power Administration as a part of their "Pacific Northwest Economic Base Study for Power Markets," (Portland, Oregon: Bonneville Power Administration, 1966).

———. "Production, Prices, Employment, and Trade in Pacific Northwest Forest Industries" (Portland, Oregon: Pacific Northwest Forest and Range Experiment Station, Quarterly).

———. "Manpower Use in the Wood-Products Industries of Oregon and Washington, 1950–1963" (Portland, Oregon: Pacific Northwest Forest and Range Experiment Station, 1965).

Orville L. Freeman. Letter to Paul Shew, Chairman, Save Our Logs Committee, Everett, Washington, concerning a proposed Pacific Northwest Sustained-Yield Unit (Washington: Department of Agriculture, September 17, 1965).

John T. Connor. Letter to Senator Warren G. Magnuson, Chairman, Committee on Commerce, Washington, D.C., concerning restrictions on softwood log exports (Washington: Department of Commerce, August 8, 1966).

———. Decision of the Secretary of Commerce regarding walnut log export controls (Washington: Department of Commerce, February 12, 1965).

———. Letter to Senator Warren G. Magnuson, Chairman, Committee on Commerce, Washington, D.C., reaffirming decision not to renew walnut log export controls (Washington: Department of Commerce, September 22, 1965).

EXHIBIT 2.—*Public forest management progress in last decade, western Oregon* [1]

	Forest Service	Bureau of Land Management
Allowable cut increases	From 1,341,000,000 board feet in 1955 to 2,003,000,000 board feet in 1965.	From 614,000,000 board feet to 1,127,000,000 board feet.
Reforestation	Planting and seeding: 1955, 10,279 acres; 1965, 33,630 acres.	Current with rate of cutting average planting 24,000 acres per year. Acres reforested: 1955, 5,560 acres; 1965, 27,269 acres.
Young growth management	Thinning and release: 1955, 36 acres; 1965, 12,773 acres.	Establishment of the Tillamook field office to obtain practical information for intensive management of young growth stands.
Timber cut and value	1955, 1,249,000,000 board feet, $16,300,000; 1965, 2,520,000,000 board feet, $61,400,000.	1956, 612,000,000 board feet, $18,300,000; 1966, 1,012,000,000 board feet, $35,800,000 (timber sold).
Road and trail expenditures	1955, $1,749,000; 1965, $8,146,000 [2]	1956, $3,909,000; 1966, $6,802,000.

[1] Latest available figures used.
[2] This does not include $4,575,000 special allotment for repairing flood damage.

THE SECRETARY OF COMMERCE,
Washington, D.C., August 8, 1966.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your letter of June 30, 1966, in which you compare the situation prevailing with respect to softwood logs with the situation which led to the imposition of controls on exports of cattle hides, and request that consideration be given to imposing controls on exports of domestic logs.

The question of restricting exports of softwood logs and the broader issue of the economic condition of the lumber and plywood industries have received particular attention

by this Department and other agencies over the last several years. You will recall that in response to a suggestion contained in your letter of July 20, 1964, a Task Force on Softwood Log Exports was established by Secretary Hodges. In addition to the Department of Commerce, the Departments of State, Agriculture, Interior and Labor and the Small Business Administration were represented on the Task Force. As I reported to you in my letter of December 9, 1965, after considerable study of the problems involved in the softwood log and lumber situation, this Task Force concluded that restrictions on the exports of softwood logs were not warranted under the circumstances. While increased exports of logs may have contributed to the difficulties of some sawmills in the Pacific Northwest, the report found that their impact could not be isolated in view of the presence of several other important factors such as intra-industry competition and changes in technology. Accordingly, the Task Force Report recommended a positive program to increase timber availability generally to domestic sawmills and particularly to assure that small firms would obtain a fair share of public timber offerings.

This program is being actively implemented. I have been advised that the Forest Service of the Department of Agriculture has made a study and evaluation of timber which can be obtained from salvage and thinnings in the Northwest and is planning a program to obtain added production from these sources. Further, the Administration recommended authorization of $85,000,000 for fiscal year 1968 and $110,000,000 for fiscal year 1969 for forest development roads and trails. While such roads and trails are built and maintained for other purposes as well, they do assist in increasing the availability of timber. On July 28, 1966, the Senate passed a modified version of the bill (S. 3155) under which an amount of $170,000,000 is authorized to be appropriated for forest development roads and trails for each of the fiscal years ending June 30, 1968 and June 30, 1969. These funds will be helpful in opening up areas permitting utilization of timber previously inaccessible. From the standpoint of small sawmills, the Forest Service and Small Business Administration jointly have increased the volume of set asides available to small businesses in the Northwest during the first half of calendar year 1966. Such action was intended to provide them with a fair share of timber sold from national forests. The Forest Service reports that twenty such set aside sales totalling 108 million board feet were made in the coastal area of the Pacific Northwest during that period. We continue to believe that the problems facing certain sawmills in the Pacific Northwest can best be dealt with through measures recommended in the Task Force Report.

Following receipt of your letter, I have reviewed once again the situation prevailing with respect to softwood logs in the light of the "short supply" criteria of the Export Control Act. As you know, the Export Control Act provides for the imposition of export controls on grounds of "national security", "foreign policy", and "short supply". With respect to the latter, export control authority is specifically conferred under the Act "to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand".

The criteria for imposing export controls on grounds of "short supply" are not met in this situation. First, there is not a shortage of softwood timber nationally or even regionally. The latest available forest survey data, contained in the official report of the U.S. Forest Service, "Timber Trends in the United States", indicate vast resources of softwood growing stock on commercial forest land including 2,058,022 million board feet of sawtimber size as of January 1, 1963. On the basis of rising lumber and plywood output since 1963, it is estimated that the current annual cut of sawtimber is close to 40,000 million board feet. Even if the cutting rate should be increased, there is scarcely any prospect that our softwood sawtimber resources face any serious depletion inasmuch as the annual growth increment (which is estimated at about 35,000 million board feet annually) covers the cutting drain to a substantial degree. According to the same Forest Service data 42 per cent of our national softwood timber inventory is located in the States of Washington and Oregon.

Second, if we consider the current exports of softwood logs from the standpoint of their impact on domestic stumpage prices, it does not appear that such price increases as have occurred in recent years were due primarily to exports. Stumpage prices for softwood timber, as reflected in National Forest timber sales, have fluctuated greatly during the last ten years as a result of various factors including domestic market conditions, timber quality, species composition, accessibility of supply, export demand for logs and others. Log exports represent approximately only 2.5 per cent of the total annual cut of softwood timber in the United States. Even if we consider the volume of log exports in relation to total softwood timber cut in the States of Washington and Oregon, such exports represent only about 6 per cent. On this basis it is not likely that foreign demand for softwood logs was a dominant factor in the recent increases in stumpage prices. Rather, the increase in stumpage prices appears to have been due to an unusual combination of circumstances, including a strong domestic demand for softwood lumber. This domestic lumber demand, fear of a strike, a shortage of railway cars and increased military procurement, contributed to an advance of softwood lumber and plywood prices for several weeks during the spring of this year. After peaking in mid-April these lumber and plywood prices have now declined for eleven consecutive weeks and by July were back close to the level where they were before the rise.

The reasons for the imposition of controls on exports of cattle hides were explained in some detail in my decision of May 18, 1966, a copy of which was forwarded to you under a cover letter of the same date. In contrast with the situation prevailing with respect to softwood logs, it should be noted that exports of domestic cattle hides at the time controls were imposed constituted approximately 40 per cent of total domestic production. The balance remaining was inadequate to satisfy domestic neeeds, inventories having been substantially exhausted over the previous years. Finally, prices of domestic cattle hides had approximately doubled during the year preceding the imposition of controls, and this was having an inflationary impact on domestic shoe prices, a basic component in the consumer price index.

I have taken the liberty of sending the Secretaries of State, Agriculture, Interior and Labor and the Small Business Administrator information copies of your letter and of this reply. We appreciate your concern in this matter and wish to assure you that we will continue to review the situation in the light of future developments.

Sincerely yours,

Secretary of Commerce.

U.S. SENATE,
COMMITTEE ON COMMERCE,
June 30, 1966.

Hon. JOHN T. CONNOR,
Secretary of Commerce,
Department of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: I want to confirm in writing our oral request to your Department to provide the same protection to the domestic lumber industry that you are now providing to the domestic cattle hide market.

I have previously expressed to you my concern over the effect of the impact of the escalation in long exports upon lumber and plywood mills in the Pacific Northwest. This situation has grown steadily worse. I consider the preservation of the domestic timber supply and the maintenance of a viable domestic lumber and plywood industry far more critical to the national interest than the depression of cattle hide prices.

I am, therefore, urging the members of the lumber and plywood industry in the Pacific Northwest to contact your Department and to secure the necessary assistance in making their case for export controls.

Kindest regards.

Sincerely yours,

WARREN G. MAGNUSON,
Chairman.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., September 17, 1965.

Mr. PAUL SHEW,
Chairman, Save Our Logs Committee,
Everett, Wash.

DEAR MR. SHEW: I have reviewed and carefully considered the Hearing Record for the proposed Pacific Northwest Sustained-Yield Unit and other available information. These hearings were held on March 10 and 11, 1965, and were followed by a period for filing additional written testimony which extended to May 12.

The petition sponsored by the Save Our Logs Committee states that "* * * increasingly great quantities of timber harvested from National Forests in Washington and Oregon are not providing for the use and necessities of citizens of the United States, but are being exported in their raw form; and * * * this has already brought instability and hardship to forest based industries and unstable employment to many and imminently threatens severe unemployment and recession and depression in forest based communities. * * *"

The Sustained-Yield Unit Act of March 29, 1944 (58 Stat. 132), as amended (16 U.S.C. 583–583i), states its objectives to be "to promote the stability of forest industries, of employment, of communities, and of taxable forest wealth, through continuous supplies of timber; in order to provide for a continuous and ample supply of forest products; and in order to secure the benefits of forests in maintenance of water supply, regulation of streamflow, prevention of soil erosion, amelioration of climate, and preservation of wildlife. * * *" These objectives are wide in scope and involve economic, social, and forest management considerations, all of which contribute to community well-being and stability.

Under Section 3 of the Act, the Congress has placed in the Secretary of Agriculture, with respect to the forest land under his jurisdiction, the judgment as to (1) whether "maintenance of a stable community or communities is primarily dependent upon the sale of timber or other forest products from federally owned or administered forest land" and (2) whether "such maintenance cannot effectively be secured by following the usual procedure in selling such timber or other forest products." In exercising that judgment consideration may be given to any factors which bear on whether the purpose of community stability can be realized by the establishment of a sustained-yield unit.

After reviewing the Hearing Record and related information in light of these objectives and guidelines, I conclude that the testimony and the facts do not show that establishing a sustained-yield unit for the proposed dependency area, or for portions of it, is necessary for the purposes set forth in the Act of March 29, 1944.

There is little doubt that log exports have caused an additional drain upon a tight supply situation. However, there is no clear evidence that the present employment and profitability difficulties of the small mill industry as a whole are due primarily to competition for logs as a result of the extent of log exports.

Creating a sustained-yield unit would have a curtailing effect upon exports of logs cut from National Forest land. It would not curtail export of timber cut from private land, and it would not change those other important forces confronting the industry, such as intraindustry competition for logs, competition between lumber and substitute materials such as plywood and building board, changes in technology and lumber imports.

Even if there were a clear showing that the difficulties of whole portions of the forest products industry is primarily due to the extent of log exports, the remedy sought by the petition is not an appropriate basis to solve the problem involved. Questions of imports and exports, which affect the international life of this country, must recognize factors in addition to the ready availability of National Forest timber for manufacture. The questions raised by the petition, and objectives of the Act of March 29, 1944, are limited in scope. They are too limited to provide a basis on which to have hearings or to make a determination about the broader question of whether exports should be limited. And this broader question goes considerably beyond the legal responsibilities of the Secretary of Agriculture.

I recognize there are hardships resulting from changes taking place in the wood-using industry of the Northwest. I am directing the Forest Service to use every means available to it to maintain timber harvesting at allowable cut levels and to accelerate offerings of timber not normally included under allowable cut limitations such as material from prelogging, salvage operations, and thinnings in young growth stands. Also, I am directing the Forest Service to continue to use Small Business Administration set-aside sales when it is clearly shown that small industry is not obtaining a reasonable share of National Forest timber offerings.

The request for the establishment of a Federal sustained-yield unit as set forth in the petition of the Save Our Logs Committee is, therefore, denied.

Sincerely yours,

ORVILLE L. FREEMAN.

[A U.S. Department of Commerce news release, Feb. 12, 1965]

Secretary of Commerce John T. Connor announced today he would not extend export controls on walnut logs. These controls were put into effect last February for a period of one year, ending February 13, 1965, and their continuance was made expressly dependent upon conditions with respect to domestic consumption which were not fulfilled.

In addition, Secretary Connor cited balance of payments and other reasons for his decision not to continue the export controls of this non-strategic item.

The text of the Secretary's decision on this matter is attached.

DECISION OF THE SECRETARY OF COMMERCE REGARDING WALNUT LOG EXPORT CONTROLS

A quota limitation on exports of walnut logs was established February 14, 1964, to last for one year, under authority in the Export Control Act "to use export controls to the extent necessary . . . to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand."

The export controls were imposed as part of an overall program, otherwise voluntary, to bring annual consumption of veneer-quality walnut logs more in balance with new log growth in America. Consumption had risen well above new growth in recent years.

Under the reduced-consumption program, an export quota was fixed at 7.3 million board feet for the first year. At the same time a domestic consumption "target" of 15 million board feet was set.

Reduced domestic consumption of logs, though not mandatory, was an essential element of the total program because it was needed to help achieve the goal of balancing consumption and growth and also to help comply with the requirements of GATT. It was provided for only after full consultation with all segments of the veneer-producing and veneer-using industries, and on the strength of an understanding that they would move promptly to the cutting and use of thinner veneers, so as to reduce the number of logs needed to meet their veneer requirements. The United States standard veneer thickness was then 1/28". It was known that Europeans were using veneers of 1/40", 1/45" and even thinner. The U.S. industries committed themselves to adopt 1/36" as the now commercial standard. This was expected to make it possible to hold domestic log consumption down to the 15 million board feet target, and continuation of the export controls after February 13, 1965, was expressly made contingent on domestic consumption being reduced to approximately 15 million board feet.

Notwithstanding the industries' commitment to adopt 1/36" as the commercial standard for veneer thickness, this was never done. After some weeks, the veneer cutters did begin to slice a thinner veneer, which they reported as 1/36" but which field surveys have shown to average about 1/34". Furniture manufacturers protested they could not use this thinner veneer, and for a long time failed to do so. We now find that domestic consumption of logs for the control year has exceeded the 15 million board foot target by over 4.5 million board feet. On this ground alone there is sufficient basis for not continuing the controls, since the condition for their continuance was not fulfilled.

Furthermore, it should be noted that the prices our domestic users pay for walnut logs have continued to advance during the past year, notwithstanding the reduction of export market opportunities by reason of the controls. Thus, control of walnut log exports has not operated as an effective domestic price control measure, even if such a purpose were a justifiable objective.

In conservation terms, the results of the first year of controls are quite disappointing. Domestic log consumption has exceeded the 15 million board feet target by at least 4.5 million board feet. The excess of consumption over growth, instead of being 6 million board feet as originally allowed for the first year of controls, is more than 10 million board feet, or approximately 2/3 more than the total amount of new growth.

The situation does not seem to involve the possible extinction of the walnut resource. On the contrary, walnut trees are constantly being planted and constantly maturing. Demand is for the moment exceeding new growth, but market factors will undoubtedly bring about a balance, ultimately, between consumption and growth. Among the important factors which could help to reduce domestic log consumption, for example, are not only price shifts, but shifts in consumer preferences (of which there is already some evidence) and increasing use of substitute materials.

There might be strong reason to prefer government controls to the free play of market forces if undue hardship would otherwise result for a significant segment of our economy. But in the walnut log situation I do not anticipate that the veneer cutters and users, and their employees, will experience great difficulty in shifting to the use of other woods, should that become necessary or desirable. As a matter of fact, many of them are already using other woods, and I am informed that a further shift has already begun in some degree.

Even if technical difficulties were to develop in making the transition to use of other woods, it would seem preferable to try to ease these transition difficulties rather than continue export controls. For, while the controls may benefit log cutters and users, they also work to the detriment of the log growers and log exporters by restricting their marketing opportunities. Reduced export markets have had much of their adverse impact in the Appalachian region. This region, for reasons well known, is particularly in need of expanded, not restricted, market opportunities for its products.

Moreover, controls on the export of walnut logs are clearly detrimental to our balance of payments position, in that they reduce to some extent the dollar value of exports from the United States. While the amount involved may seem to be comparatively small in the context of the entire balance of payments deficit, is should not be ignored because of the cumulative effect of all gains, small as well as large. The President in his recent Message to Congress emphasized the national concern with regard to the balance of payments deficit. He has called upon all of private industry, large and small, to join in a cooperative effort to make management decisions which will increase exports and aid in reducing our unfavorable balances of payments.

For all these reasons, I have decided not to extend controls on export of walnut logs beyond the period of one year which was originally announced. Therefore, controls on export of walnut logs will not be in effect on and after February 14, 1965.

(Signed) JOHN T. CONNOR,
Secretary of Commerce.

Date: February 12, 1965.

THE SECRETARY OF COMMERCE,
Washington, D.C., September 22, 1966.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: In response to the request contained in the letter dated June 15, 1965, signed jointly by you and other members of your Committee, I have given very careful reconsideration to my decision of last February concerning controls on exports of black walnut logs. In making this further review I have considered the record of the hearings held by Senator HARTKE last spring and I have considered additional information and comments received by the Department from interested persons and groups since it became known that I was reconsidering my original decision.

By way of background, I believe it may be useful to summarize the events that preceded my present review of the question of control of exports of black walnut logs. On February 14, 1964, my predecessor, Secretary of Commerce Luther H. Hodges, placed "short supply" controls on exports of black walnut logs for a *trial period of one year*. An export quota was established as a part of an overall program, which included domestic conservation efforts, to bring annual consumption of veneer quality logs close to balance with estimated new log growth.

Because a curb on exports could not achieve any meaningful conservation without a concurrent reduction in domestic consumption, Secretary Hodges *expressly* conditioned the export controls on a voluntary reduction in domestic consumption to approximately 15 million board feet during the trial period, February 1964 to February 1965.

The walnut veneer producers and the Department assumed that to achieve this reduction the domestic furniture industry would adopt 1/36" veneer as the commercial standard instead of the thicker veneers then in use. As a matter of fact, this new standard was not achieved on a commercial basis, and reports to the Department at the end of the trial period revealed that annual domestic consumption was in excess of the 15 million board feet target by at least 4.5 million board feet. Thus the annual domestic consumption at the end of the trial period was more than 25% in excess of the desired goal.

It was against this background that on February 12, 1965, after intensive review of all factors involved, I announced my decision not to extend the duration of the controls, which under the terms my predecessor prescribed were due to terminate on February 13, 1965. On March 2, 1965, after examining once again the basic facts and arguments, I reaffirmed my decision of February 12, 1965.

The basic arguments for and against these export controls which were known to me at the time of my initial decision last February have remained the same. In addition, I have given consideration to two other factors. First, the monthly volume of exports of veneer quality walnut logs has increased substantially since the export controls expired in February of this year. However, it is our judgment that a significant portion of this increased export activity during recent months has been prompted by the uncertainty as to whether export controls might be reimposed, particularly in view of the hearings of the Senate Commerce Committee as well as the announced reconsideration of my original decision.

Second, as a result of my current review, we have received confirmation from representatives of the domestic veneer and furniture industries that it is not possible in the foreseeable future to achieve any significant reduction in domestic consumption through voluntary use of 1/36" veneer. In short, the domestic furniture industry now makes it plain that it cannot or will not use this thickness of veneer nor will the furniture industry adopt this size as its standard. In view of this fact, I am convinced that no meaningful conservation can be achieved without controlling domestic consumption of walnut logs.

Concerning the factor of walnut log supply, it is quite clear that our long-term forecasts as to the rate of depletion of walnut resources are not and cannot be regarded as clearly reliable. The fact of the matter is that no one knows the number of walnut trees now standing in the United States, and no one can say with precision how long the present supply will last at the present rate of consumption. As pointed out by the Department of Agriculture during the hearings held on March 31 before your Committee, "rather substantial quantities of walnut logs" are obtained from locations outside the areas classified as commercial forest, but no statistics are available on the volume involved. Accordingly, the statistics on annual growth of veneer quality walnut do not include trees outside of lands classified as commercial forest; but the statistics for annual consumption of veneer quality walnut include walnut logs cut from both commercial forest land and other sources such as fence rows and farmsteads.

This defect in statistical correlation, of course, tends to overstate the drain on our walnut resources; however, even if one disregards this factor, the case for imposition of a short supply control as a meaningful conservation measure is not persuasive. Predicated on the U.S. Forest Service estimates of veneer grade walnut logs in our lands classified as commercial forest and assuming current rates of consumption, there exists a 10 to 11 year supply in the United States. The reimposition of an annual export quota of 7.3 million board feet would not prevent ultimate exhaustion of walnut reserves since current domestic consumption alone exceeds estimated domestic growth on lands classified as commercial forest.

Taking into account the various conflicting economic interests, I have particularly considered the potential impact of export controls on (1) the producers or growers of walnut logs, (2) the veneer producers, (3) the furniture manufacturers, and (4) the log exporters.

With respect to the growers or producers of walnut logs, it is clear that the use of export controls is contrary to their economic interests because of reduced demand and the depressant effect on the prices they can obtain for the logs.

With respect to veneer producers (the group most vigorous in support of export controls), control on the export of walnut logs is very clearly to their financial advantage. With exports of logs severely restricted, the principal purchasers in the market for walnut logs would be the domestic veneer producers. In a word, the foreign competition for walnut logs available would be significantly reduced.

With respect to the furniture industry—the user of the walnut veneer—it is evident that export controls are potentially and theoretically in their financial interest. This is true because the foreign demand would be limited and theoretically the domestic furniture industry would be able to obtain its supply of walnut veneer at reduced prices, assuming the walnut veneer producers would pass on their savings to the domestic furniture industry, which may or may not be the case.

Concerning the interest of the walnut logs exporters, it is, of course, evident their financial interests are adversely affected by the imposition of export controls and for this reason they strongly oppose the reimposition of export controls on walnut logs.

Upon consideration of all these factors and recognizing clearly that the financial interest of *all* interested domestic groups could not be served by reimposition of controls—and in fact the financial interest of some would be adversely affected—I have concluded that I must reaffirm my previous decisions not to reimpose export controls on black walnut logs. It appears to me that reimposition of such controls would only assure a price advantage to one particular segment—the veneer producers, at the cost of an adverse financial impact on some other groups of American businessmen.

I am concerned about the pure conservation issue. I would prefer to be able to make an administrative decision—which would satisfy all interested groups of our economy—that would have the clear effect of insuring that the black walnut tree would never become extinct in America. But, as I have said before, no meaningful conservation measure can be achieved without controlling domestic consumption and any export control measure adopted under the misconception that export control alone is sufficient would only delay our squarely facing the issue. I do not have the legal authority to impose regulations on domestic consumption, and voluntary control of domestic consumption does not appear feasible in the foreseeable future.

If the Congress concludes that the commercial supply of black walnut logs is threatened with exhaustion and that this possibility is not likely to be prevented over the long term by the operation of market forces and technological advance, then the enactment of effective domestic conservation regulation should be considered.

The short supply control authority in the Export Control Act should, in my opinion, be used to protect the overall welfare of the domestic economy and not be used as a price control device to benefit one or two segments of an industry to the detriment of other segments in that industry. To put the matter in more precise and accurate context in terms of our total domestic economy, I would observe that it is estimated that the cost of hardwood veneer, such as walnut, represents not more than about 3% of the furniture manufacturers' total cost of producing this furniture. This provides no adequate basis on which to use the export control authority for the protection of the "domestic economy," unless it is accompanied by meaningful conservation on the domestic side.

Accordingly, I am compelled to reaffirm my previous decision not to reinstate controls on the export of veneer quality black walnut logs.

I greatly appreciate the interest, patience, and cooperation of your Committee in our consideration of this matter.

With cordial regards and best wishes, I am,

Sincerely yours,

JOHN T. CONNOR,
Secretary of Commerce.

COAST GUARD VISITS TO RUSSIAN TRAWLERS

Mr. MORSE. Mr. President, turning briefly to another matter, the Portland Oregonian, the largest newspaper in my State, on July 20 carried an article concerning the boarding of two Russian fishing vessels off the coast of Washington State by the Coast Guard. Since the article did not include details of the visits, I asked the Commandant of the Coast Guard to furnish me with a report about these visits. I have just received this report and believe that it contains much valuable and interesting information and ask unanimous consent to include the report in the RECORD at the close of my remarks, together with the Oregonian article.

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

(See exhibit 1.)

Mr. MORSE. Particularly noteworthy are the assurances of the Russian fishermen that they have no intention of fishing for salmon, since it would be "uneconomical for them to do so," and that they are "as interested in conservation as we." The commodore of one of the vessels declared that he and his men "would personally be most happy to see a fishing quota established looking to a certain sustained annual yield." The Coast Guard commander who made the visit expressed his personal feeling that the Soviet Union would be amenable to a conservation treaty.

These observations were in keeping with the fact that a meeting was recently held in Moscow precisely for the purpose of arriving at some agreement with the Soviets on the matter of conservation in their fishing activities off the west coast. As I have made clear in previous statements, it is my belief that the most fruitful approach to the problem of Russian fishing off our shores is an agreement on the use of conservation measures, as the Russians are doing most of their fishing on the high seas, far beyond our present territorial waters and even beyond a 12-mile zone.

Mr. President, I want to express my appreciation to the President and to the Department of State in regard the re-

quests I made to the White House and the Department of State and other Federal officials, asking that diplomatic steps be taken in an endeavor to first have a conference with the Russians and in such a conference attempt to reach some negotiated settlement of a controversy that is very serious on the west coast.

The President responded, both in personal conversation and in a letter, to my request, advising me he had requested the Department of State to seek diplomatic conversations with the Russian Government.

I speak also, may I say, for the Senator from Washington [Mr. MAGNUSON], chairman of our Commerce Committee, who enthusiastically supported the steps I had taken in an endeavor to try to elicit some response, through our Government, from the Russians in regard to the fishing problem that is of such serious proportions along the west coast.

As has always been the case, the Senator from Washington [Mr. MAGNUSON] and the senior Senator from Oregon have worked together on all these fishing problems, as we did in this instance.

Assistant Secretary of State, Mr. Solomon, carrying out the instructions of the President and the Department of State, had a conference with the Deputy Ambassador of the Russian Embassy, because the Ambassador was in Moscow, explained the problem, explained our concern, showed him the information I had been able to make available to the White House and to the Department of State, along with information that the Senator from Washington [Mr. MAGNUSON] had been able to make available. Assistant Secretary Solomon, in a conference with me in my office, reported the Deputy Ambassador was not only cooperative but at least gave every indication, as the material I have already put in the RECORD today from the Coast Guard commander also indicates, that the Russians had a desire to work out a conservation program.

Perhaps this difficulty on the west coast developed because of a breakdown in communications. That is not difficult in our relationships with Russia. But be that as it may, the Russian Embassy notified the State Department it would take the matter up with the Russian Government immediately. That was done. In fact, the very next day after the Embassy conference with Assistant Secretary Solomon, the Russian Embassy was able to advise that the Russian Government was willing to start conversations in Moscow with representatives of the American Government on July 25. Those conversations were held.

I had taken note and pointed out to the officials of our Government that the king crab conservation agreement with Russia expires in the not too distant future.

I am sure that Russia is exceedingly interested in a renegotiated king crab conservation agreement, for such an agreement is of great importance to Russia; just as the type of conservation agreements in which the Senator from Washington [Mr. MAGNUSON] and I are much interested on the west coast are highly important to us. I am hopeful that both the United States and Russia will develop a cooperative attitude in working out conservation agreements in regard to respective fishing rights and practices in all the fishing beds involving the different types of fish that are of concern to each country. It is true that each country is more concerned about certain types of fishing beds than about others because of their proximity to the respective shores.

Furthermore, while I am on the subject, I hope that not only will a conservation agreement be worked out between Russia and the United States, but that it will serve as a good model for Japan, because although we have had problems with Russia—and I suppose that the Russians would say that they have had problems with us—we really have had more problems with Japan. I feel certain that if the Senator from Washington [Mr. MAGNUSON] were present, he would agree with me that we have had more difficult problems with Japan. I am just as desirous of our reaching conservation agreements with Japan in regard to fishing practices as I am with Russia.

But today I am pleased to be able to report at least progress. No agreement has been reached, but it is adways a hopeful sign in a situation such as this when Russia and the United States can be brought into the process of negotiating fishing conventions or agreements.

We have been successful in the past in working out such agreements. I wish that it had been possible to start these negotiations before these misunderstandings and conflicts developed on the west coast late last spring and earlier this summer in connection with what was referred to in my State as "the invasion of Russian fishing trawlers." It looked like an invasion. There were large numbers of them. And it was perfectly clear that some of their fishing practices, and some of the equipment that they used in regard to perch—not salmon—could not be squared with sound conservation practices.

Not only do I hope that a conservation agreement can be worked out, but that that agreement will include an understanding whereby neither Russia nor the United States will use equipment or follow fishing practices that will in any way jeopardize the perpetuation of the fishing beds and a continuous supply of the fish so essential to the food supply, not only of the United States, but of Russia as well, and of the countries that purchase the fish.

But I have placed this material in the RECORD today because I want the people of my State to know that the President of the United States has responded to their many requests that they have asked me to transmit to him for some action by the administration in connection with the fishing practices of Russia off our west coast. I want the people of my State to know that the Department of State has responded, and that the first conference has been held in Moscow.

It is impossible at this time to report more than progress, but I am very hopeful, and I want the people of Washington and Oregon to know that Senator MAGNUSON and I intend to continue to do what we can to obtain all possible action from the administration, to the end of bringing forth through those negotiations a new agreement with Russia that will put to rest the criticism that has arisen on the west coast over Russian fishing practices.

EXHIBIT 1

TREASURY DEPARTMENT,
U.S. COAST GUARD,
Washington, D.C., August 12, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: This letter is in reply to your inquiry of 1 August 1966 concerning the unofficial visits to two Russian fishing vessels off the coast of Washington State by Commander Donald McCann, U.S. Coast Guard.

These visits were in response to invitations extended to Commander Donald McCann, Commanding Officer, USCGC *Yocona*, to visit the *Churkin*, *Tadjikistan*, and *Sajanskie Gory*. The third of these visits was not made as loading operations were being carried out and were considered dangerous.

A copy of Commander McCann's report to Commander, Thirteen Coast Guard District is enclosed as requested.

If the Coast Guard can provide any additional information or be of further assistance, please feel free to call.

Sincerely yours,
W. J. SMITH,
Admiral,
U.S. Coast Guard Commandant.

TREASURY DEPARTMENT,
U.S. COAST GUARD,
Astoria, Oreg., July 19, 1966.

From: Commanding Officer, USCGC *Yocona* (WMEC-168).

To: Commander, 13th Coast Guard District (dcs).

Subject: Unofficial visit to Soviet Union Fishing Vessels TR *Churkin* and BMRT 891 *Tadjikistan* 9–10 July 1966.

1. *Yocona* paid an unofficial visit to the Flagship of the Russian Fishing Vessel Fleet on 9 July 1966 at position 47–07 N 124–32 W.

2. The visiting party consisted of myself, Mr. Alfred Stankowiak, Seattle BCF agent, Mr. Edwin Niska of the Oregon Fish Commission and *Deurmyer*, James J. 360 971 SN, USCG whose services were utilized as an interpreter.

3. Upon our arrival aboard *Churkin*, we were greeted most warmly by the First Mate, Vladimir Klevany. Mr. Klevany spoke English fairly well but could not understand it unless it was spoken slowly. He escorted our group to the Cabin where we were introduced to the Fleet Commodore, Alexander Electron Evanovich, the Master of *Churkin*, Nikoli Stamseavorich, and refrigerator ship type commander, Evgyenne Dmetrevevich. The Commodore could readily understand written English but had difficulty in speaking or understanding spoken English. No difficulty however was encountered in spite of the language barrier due to Mr. Klevany's and SN Deurmyer's skill in both languages.

4. The Commodore explained to us that this date, 9 July 1966, was the 10th anniversary of the National Fisherman's Holiday and that the occasion was doubly enjoyable to them because of our visit. He further expressed his gratitude for our service's assistance in several medical evacuation cases. After exchange of pleasantries, I explained to them that a great deal of unrest among our local fishermen had been generated by their fishing activities off our coast and the fear that, in particular, the Salmon Industry

would possibly be endangered or even decimated. Our own Coast Guard observations had indicated they were basically fishing for hake and Pacific Ocean perch. They were amused about the thought that they might be salmon fishing and stated that they definitely were not only interested in salmon in this area but that it would be uneconomical for them to do so. I assumed this was so as salmon is readily available to them off their own shores. As the conversation went on, I indicated to them that not only were our people not familiar with such a mammoth fishing operation but we were not familiar with such large class fishing vessels. We were informed that the ship was completely open to us and they would be glad to give us a tour. With this, we adjourned to the wardroom where an excellent meal was served. This meal consisted of salmon caviar, delicious dark rye bread, cheese, king crab and a thick mixture of beef, potatoes and peas. Cognac was served during the course of the meal. Upon the conclusion of our meal, we were given a tour of the vessel.

5. For fear of arousing false suspicions in their minds that our basic interest lay not in their fishing but in their vessel characteristic, I only observed the vessel itself cursorily. However, the following characteristics were noted: *Churkin* was built in 1962, 430′ length, 55′ beam, 22′ draft, 7800 shaft horse power, 4 engine diesel electric drive, speed 18 knots. She has a crew of 150 plus 60 factory workers. Her crew included approximately 30 women utilized primarily in Steward department. In addition to normal allowance of licensed personnel, she carries 3 navigators. She has a gyro compass, iron mike, 2 radars with a range of 50 miles, 2 depth recorders, loran, ADF and 3 CW transmitters.

6. At the time of our visit, the SRT *Sudak* was offloading hake to the *Churkin*. This offloading is accomplished by swinging an empty brail (basket) of approximately 4000 capacity from *Churkin* to SRT. This brail is held by hooks to deck coaming of SRT. The fish are on main deck of SRT and are forced by water hose from forward aft to a wooden sluice gate which is opened by hand and fish flow then into the brail. The brail is then lifted to *Churkin* where they are washed and placed whole into a belt driven tray. These trays are then glaced by dipping and trays are taken to refrigerating units. Upon freezing, the fish are taken out of the tray as a solid unit and then placed in a cardboard box, 30″ x 18″ x 9″ for transshipment via Gory class TR to their mother land. No heading or gutting of fish take place at all on *Churkin*. No evidence of any other fish seen except occasional rock fish and cod. The ultimate usage of the hake when frozen whole as in this case is agricultural in nature.

7. *Churkin* plans to depart the area 25 August 1966 for Vladivostok. At that time the Commodore will shift his flag to either TR *Vologda* or TR *Egersheld*. Their answers to various inquiries were most frank. For example, in reply to my inquiry as to how long they expected to be off Oregon-Washington Coast, they replied, "As long as the fishing remains good!" Of interest along these lines is that during the course of this patrol, the fleet was extremely scattered as contrasted to past patrols. All vessels appeared to be searching for fish as contrasted to past patrols in which majority of their units were concentrated and actively engaged in fishing. Eighty vessels were identified as contrasted to our past patrol of 111 vessels. A total of 111 vessels were reported by them to be off our coast but I am not sure that this figure is 100% correct as, in this particular instance, I felt they did not wholly understand the question.

8. Other points of interest reported are as follows:

(a) There are type commanders for each class fishing vessel, i.e., TR's, RR's, SRT's, BMRT's etc.

(b) SRT's have crew of 25 men with usually 7 SRT's to each refrigerator vessel.

(c) Average cruise for crew and officers is 7 months.

(d) Length of net primarily utilized is 100 meters with 3½″ mesh.

(e) Average amount of fish per drag is 20 ton.

(f) Average speed of drag for SRT's is 2.5 knots for 45 minutes as contrasted to average speed of drag for BMRT's of 4.5 knots for same time.

(g) Age of both officers and crew is extremely young. For example, the Commodore is 36. Anyone over 40 was considered old. I strongly disagreed with their feelings and sympathized with one mate who was 43 years of age and the good natured recipient of many friendly gibes. I would estimate average age of officers to be 33 and that the crew to be 26.

(h) Cleanliness and excellent living conditions were noted throughout the vessel. This includes excellent piped in recording system.

9. In order not to wear out our welcome, I limited our visit to approximately 3 hours. At the conclusion of our visit, we were invited to visit any other ship. Arrangements were then made by Commodore to board BMRT on the following day. In addition, if their work permitted a visit would be scheduled on their largest TR, the *Sajanskie Gory*.

10. A visit to the *Tadjikistan* was made on 10 July 1966. As before, our greeting and reception was most warm and cordial. As a matter of fact, we had an erroneous position of *Tadjikistan* and she actually went out of her way to intercept us in order for us to board. Again, the vessel was made open to us. The type commander for BMRT's is aboard the *Tadjikistan*. Our visit was cut short by a SAR case and unfortunately, I did not obtain correct spelling of officer's names. A small repast was prepared for us consisting of coffee, cookies, brown bread, entrees etc. Their coffee cream was spooned into the cup as it was exceedingly thick and heavy and of the consistency of honey. Their coffee was extremely coarse. However, the mixture did make an excellent coffee.

11. Our tour this time revealed that while the catch basically remained hake, their method of operation was somewhat different. Aboard this vessel, the hake is gutted and headed. The fish itself is then frozen and packaged in a manner similar to that described aboard the *Churkin*. It should be noted that this product is slated for human consumption and final process of filleting is accomplished at mother land. The heads and viscera are reduced to meal, bagged and frozen and utilized in agriculture. The average daily yield of meal is ½ to 1 ton. Inasmuch as yield of oil from hake or perch is negligible, no fish oil processing is undertaken.

12. The *Tadjikistan* bridge equipment is similar to that of the *Churkin*. However, she has a secondary wheel house aft for use with stern drag operations. Her crew including factory workers consists of a total of 111 men and women. The exact number of crew utilized as factory workers was not obtained. We departed hurriedly upon receipt of SAR call and they expressed extreme regret at shortness of our visit—approximately one hour. *Tadjikistan* is a stern trawler, 278″ in length, 46″ beam, 18″ draft, diesel electric, 2000 horse power, speed at 12.5 knots.

13. No visit was made to TR *Sajanskie Gory*. As we approached her on 13 July 1966, she was receiving cargo from *Churkin* and other units. They indicated the loading operation was considered dangerous. I immediately thanked them for their courtesy. The Commodore told us he was looking forward to another visit from *Yocona* and he would arrange for a tour when work permitted.

14. I was most favorably impressed by the Russians' frankness, courtesy, cordiality and hospitality. The Commodore told me that personally they were not interested in politics but were fishermen doing a job. I feel this initial visit was most beneficial to both parties. A great deal of valuable information was gained by both Federal and State fisheries agents and myself. The Commodore further stated that they were as interested in conservation as we and that he and his men would personally be most happy to see a fishing quota established looking to a certain sustained annual yield. This, naturally, was strictly his unofficial viewpoint but I departed with the definitely strong feeling that his country would be amenable to a treaty along these lines.

DONALD J. MCCANN.

[From the Portland Oregonian, July 20, 1966]

PARTY BOARDS RUSSIAN SHIP

(By Fred Andrus, staff correspondent, the Oregonian)

ASTORIA.—A party from the Coast Guard cutter *Yocona* boarded two Russian fishing vessels during a patrol last week off the Washington coast, Cmdr. Donald McCann reported Monday.

The boarding was at invitation of the Russians, according to McCann, commanding officer of the *Yocona*.

The party spent several hours inspecting operations on the *Churkin*, flagship of the Russian fleet, and a 250-foot stern trawler. Making the visit were McCann, Ed Niska of Oregon Fish Commission staff, Alfred Stanowiak of U.S. Bureau of Commercial Fisheries, and seaman James Jeremiah of the *Yocona*, who acted as interpreter.

REDS CORDIAL

McCann and Niska said the Russians were "warm and cordial" and freely permitted inspection of all fishing and packing operations.

The Russians denied they have been taking any salmon or intended to catch any, and there was no evidence they had caught any, McCann reported.

The principal catch was hake and substantial quantities were being taken. Some of the hake was frozen in the round, for future agricultural use, and some was dressed and frozen. The Russians said this fish would be for human consumption.

Niska reported there were a few rockfish and other bottom fish, apparently incidental catch during the hake fishing.

BOATS TO REMAIN

The Russians said they expected their fleet of approximately 100 boats would remain off the coast as long as hake were plentiful. Normal tour of duty for one of their fishing craft is seven months, they said.

The cutter *Modoc* out of Coos Bay replaced *Yocona* on fishery patrol duty this week.

McCann said the Russian boats were scattered from off Willapa Bay to off Cape Grenville.

RECESS UNTIL 11 A.M. TOMORROW

Mr. MORSE. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order heretofore entered, that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 45 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, August 17, 1966, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 16 (legislative day of August 15), 1966:

THE JUDICIARY

David W. Dyer, of Florida, to be U.S. circuit judge, fifth circuit, vice Warren L. Jones, retired.

Wade Hampton McCree, Jr., of Michigan, to be U.S. circuit judge, sixth circuit, to fill a new position created by Public Law 89-372, approved March 18, 1966.

Edward J. Boyle, Sr., of Louisiana, to be U.S. district judge for the eastern district of Louisiana, vice Robert A. Ainsworth, Jr., elevated.

Alvin B. Rubin, of Louisiana, to be U.S. district judge for the eastern district of Louisiana, to fill a new position created by Public Law 89-372, approved March 18, 1966.

Bernard J. Leddy, of Vermont, to be U.S. district judge for the district of Vermont, to fill a new position created by Public Law 89-372, approved March 18, 1966.

William T. Woodard, Jr., of North Carolina, to be a member of the Board of Parole for the term expiring September 30, 1971.

SUBVERSIVE ACTIVITIES CONTROL BOARD

John S. Patterson, of Illinois, to be a member of the Subversive Activities Control Board for a term of 5 years expiring August 9, 1971, vice Frank Kowalski.

THE JUDICIARY

Austin L. Fickling, of the District of Columbia, to be associate judge of the District of Columbia court of general sessions for the term of 10 years. (Reappointment.)

IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant subject to qualification therefor as provided by law:

Edward C. Schriber
Hans W. Lindholm

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 16, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The steps of a good man are ordered by the Lord: and he delighteth in his way.—Psalm 37: 23.

Eternal Father of our spirits, who has promised unto the upright in heart a light that shines in the darkness and a strength that never fails, grant unto us such good attitudes and such high purposes that shall lift us above the shadow of doubt and fear and help us to realize the power of Thy presence. Give to us the wings of faith, the lift of love, and the heart of hope as we commit ourselves anew to Thee and to Thy will for our lives.

May we walk the ever-changing roads of our daily life with confidence and courage, knowing that Thou art with us always and all the way. Give to us this day a healthy body, an understanding mind, a happy spirit, a loving heart and with it all a will ready to do good to others where we can do good and to be faithful unto Thee, through Jesus Christ, our Lord. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3700. An act to amend the Urban Mass Transportation Act of 1964.

COMMITTEE ON APPROPRIATIONS, PERMISSION TO FILE CONFERENCE REPORT ON INDEPENDENT OFFICES APPROPRIATION BILL, 1967

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that the conferees on the disagreeing votes of the two Houses on the independent offices appropriation bill, H.R. 14921, have until midnight tonight to file a conference report.

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

There was no objection.

JUDICIAL DICTATORSHIP

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. ABERNETHY. Mr. Speaker, when the wise Founding Fathers of our Nation molded the basic law of our land, they very wisely created a tripartite system of government—the executive, legislative, and judicial—each coequal with the other. At least, that is what they thought they were doing.

It was the intention of these great men that each branch should stand on its own feet, that each would be a check and balance against the other, and that each would have the courage and pride to stand and defend itself from encroachment or trespass of the other.

The recorded history of our government reveals that those who served in these respective branches, from George Washington's time down through and until several score of years into the 20th century, strongly upheld their rights, prerogatives, and privileges, while respecting such of those who served in the other two branches.

But in recent years, Mr. Speaker, the Congress has allowed itself to sink to a very low ebb. So much of it has subordinated itself to whatever was sent over from the White House. So much of it has allowed itself to yield to pressures from the Chief Executive, under both Democratic and Republican administrations.

This is not all, Mr. Speaker. In recent decades the Congress has been subjected to numerous domineering decisions, indignities and constitutional trespasses by the judiciary. I shall not enumerate them here. They are all too well known.

Action on yesterday of a Federal judge enjoining the Un-American Activities Committee from holding a committee meeting reveals the gluttonous hunger for power growing within the judiciary. And the judge made his act more reprehensible by conducting what amounted to a secret hearing, without service of notice of any kind upon members of the committee.

Where, oh where, Mr. Speaker, did this pipsqueak Federal judge find the authority to tell a committee of the Congress it could not open its doors for a committee meeting?

Next, Mr. Speaker, he and his kind will be telling the Congress when it can or cannot meet. And this is not an absurd suggestion. It is, indeed, the direction in which we are moving and which we will someday encounter if the Congress does not throw off its lethargic robes of inferiority and tell some judges, bureaucrats, and all offices of the executive branch from the President down, that Capitol Hill belongs to the Congress.

A number of us, including the one now addressing you, have long advocated that the Congress take a firm stand in behalf of its rights, duties, and privileges. Many of us have introduced legislation which would require those who preside over our judicial branch to know a little bit of law and to have just a reasonable amount of experience. But year after year these bills get bottled up at the hands of those who consistently and mistakenly defend the power grab of the power-hungry judges.

If the decision of yesterday portends the judiciary of the future, and I think it does, then there can be nothing but judicially inspired chaos.

Mr. Speaker, this Congress had better wake up, assert itself and perform its duties or else this country will soon be in the hands of a judicial dictatorship, if it has not already reached that point.

ENCROACHMENT BY THE JUDICIARY UPON THE LEGISLATIVE

Mr. BOGGS. 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 Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker and Members of the House, in the 25 years on and off that I have had the high privilege and great responsibility of serving in this, the greatest representative body in the world, we have studiously and assiduously refrained from interfering in the affairs of the other branches of the Government. We have a tripartite system—the very essence of our Constitution and our freedoms.

Mr. Speaker, there have been matters presented here during that period of time which would interfere with the constitutional rights and prerogatives of the Executive, the President of the United

States. There have been measures which would have forced him to produce documents which were confidential and executive in nature. Uniformly and invariably, we have rejected such attempts.

Mr. Speaker, by the same token there have been measures here which would impinge upon the sanctity and upon the independence of the judiciary in passing upon the interpretation of the Constitution, the enunciation of the privileges of our citizens and the maintenance of the freedom of our institutions. We have rejected these as well.

So on yesterday it was indeed shocking to see a member of the Federal judiciary usurp, in a fashion that I have never seen, the fundamental prerogatives of the Legislature.

Mr. Speaker, undoubtedly over the years, we in the exercise of the right to investigate, the right of oversight may have, on occasion, gone too far, just as have the other two branches of our Government on occasions gone too far in exercising their rights. But at no time—at no time—has the right of a duly authorized committee of this Congress ever been questioned outside of this place. Where would such judicial power end? Would a court take unto itself the right to tell the Ways and Means Committee or the Judiciary Committee or any other committee when to meet or who to hear?

Mr. Speaker, I was glad this morning to see a three-judge court set aside the temporary restraining order which was granted on yesterday. It is imperative that the constitutional question be disposed of in favor of Congress because this is indeed a fundamental matter involving the rights of this body to assert its function as the representative of the people.

ENCROACHMENT BY THE JUDICIARY UPON THE LEGISLATIVE

Mr. RIVERS of South Carolina. 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 South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, in associating myself with the remarks by the distinguished majority whip and of the gentleman from Mississippi [Mr. ABERNETHY] concerning this incompetent Federal judge, I do not think that we can overlook the action of this man who is obviously not qualified to hold the job for which he is being paid. I have inquired of some of the old hands around here—I have been here only 26 years—and in no Member's memory has a member of the judiciary ventured as far as this incompetent has gone.

Mr. Speaker, if there was ever grounds for impeachment, this is one of them.

In the case of Halstead Ritter, which I reviewed, one of the grounds on which he was impeached was bringing disgrace to the judiciary.

This man has done that. We cannot permit this act of violence to go unquestioned, unimpeded, and unchecked. It would be well, Mr. Speaker, for someone in this body to draw up articles of impeachment and present them to the Judiciary Committee. I suspect that the House Un-American Activities Committee may do so. Let us see what will happen. If we do nothing now, another one of these incompetents might restrain the great Appropriations Committee or my own committee from performing our responsibility of investigating as the whip has said. The courts can review the actions of the committees after we meet, but to restrain us from meeting is preposterous and must not go unchecked.

Mr. Speaker, without any further investigation, I would be willing to impeach this foul blot on the escutcheon of the fair name of the judiciary of the United States.

THE HOUSE OF REPRESENTATIVES IS THE PEOPLE'S INSTITUTION

Mr. DORN. 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 South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, this House must not sit in fear and trembling before the Supreme Court or any part of the Federal judiciary. This House must not sit in fear and trembling before any Federal judge in the District of Columbia who has rendered this shocking order that would prohibit a committee of the Congress from holding hearings. This House of Representatives must not and cannot become a rubber stamp to the executive or to the judiciary or to the Federal agencies and departments of the Federal Government. This is the road to dictatorship. This is the road to unbridled power by unelected, Federal, appointed officials.

The action yesterday by a Federal judge here in the District of Columbia in attempting to stop the proceedings of a committee of the House is a cold, blatant bid to thwart the wishes of the people in a representative democracy.

Even now, as I speak, Mr. Speaker, there is a demonstration going on, by peaceniks and beatniks, against the Un-American Activities Committee at the Cannon Building. These are the type of individuals who are undermining our war effort in Vietnam and these are the ones the Federal judge here in the District of Columbia is trying to champion at the expense of representative government's freedom.

Mr. Speaker, I join my distinguished colleagues who have spoken this morning in expressing surprise and shock over the infringement by the judiciary in the prerogatives and the constitutional rights of this, the most representative and deliberative body in the entire world. In the last few years I have gone throughout this Nation defending the Congress, defending the House of Representatives as the people's institution. It was the Continental Congress which brought into being these United States of America. The Continental Congress elected George Washington Commander in Chief of the Armed Forces. The Continental Congress prosecuted that war. There was no other body. There was no judiciary. There was no executive.

Mr. Speaker, this body represents directly the people of this country, and if, as my distinguished colleague from South Carolina has said, the judges can stop committees of Congress, if they can enjoin the House Committee on Un-American Activities, they can enjoin the great Committee on Armed Services, the Appropriations Committee, or the Judiciary Committee. They can usurp completely the constitutional obligations, prerogatives, and duties of this great body. The separation of powers among the legislature, the executive, and the judiciary is delicate and subtle. It cannot survive such blatant and far-fetched infringement by the Federal judiciary. I think that it is urgent that we raise a voice of protest here today before it is too late.

The House of Representatives cannot allow one of its committees—meeting in the Cannon Office Building only a few yards from this Chamber—to be intimidated by judicial fiat. The House Un-American Activities Committee must be permitted to go ahead with its perfectly legitimate assigned task of gathering information for the whole Congress, and for the American people. In doing so, the House Un-American Activities Committee acts as the direct agent of the full House, and as such is not liable to the caprices of activist judges. Indeed, every committee of the Congress must be allowed to go about its constitutional duty free from the threat of judicial interference. This Congress must not allow a dangerous precedent to be set that would hold the sword of judicial usurpation over each of the great committees of the Congress. Indeed, Mr. Speaker, if a Federal judge can halt a congressional committee meeting then a Federal judge could enjoin and halt a meeting of the entire Congress itself. We can and must stop now this attempt to destroy Congress—the direct elected representatives of the American people.

RESPECT FOR LEGAL ORDER

Mr. JOELSON. 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. JOELSON. Mr. Speaker, I concur with the remarks of the gentlemen who have preceded me in the well that the decision of a Federal judge in enjoining a House committee from holding hearings was shocking and ridiculous. I yield to no man or woman in this House in my respect for this great institution. I know what I am about to say will not win me any popularity contests in view of the prevailing mood. But I think our colleague who announced in advance planned defiance of this court order was unwise.

At a moment in our history when it is important to encourage respect for law and order, it does not seem fitting to me that a Member of Congress should express open contempt for the legal machinery and the processes of law.

As I have said, the injunction granted by the Federal court judge was ridiculous, but there is adequate machinery for appeal. I understand it has been utilized with the result that the injunction has been set aside with respect to law and order.

How can this Congress expect members of the public to refrain from taking the law into their own hands when we ourselves thumb our nose at law and order?

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

Mr. JOELSON. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Speaker, surely the gentleman does not regard a simple forthright protest from a Member of Congress as being a violation of the law?

Mr. JOELSON. I am not talking about a violation of the law. I am talking about respect for legal orders. Instead of announcing that we would defy the legal order, we should take advantage of the legal machinery, because any reasonable man should have known that this order could not have been sustained.

Mr. ABERNETHY. I do not think the comments of Members of the Congress are in defiance of this court—particularly this court, because I really just do not have very much respect for it.

Mr. JOELSON. The member of the committee said he would stay in jail until hell freezes over, if necessary.

Mr. ABERNETHY. Well, God bless him.

ENCROACHMENT BY THE JUDICIARY UPON THE LEGISLATIVE

Mr. HARDY. 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 Virginia?

There was no objection.

Mr. HARDY. Mr. Speaker, as a nonlawyer, I approach this subject with some trepidation and perhaps from a slightly different angle than some of our Members who are very well versed in the law. I appreciate very much the position which the Speaker has taken and the position expressed particularly by my colleague from South Carolina [Mr. RIVERS]. But, Mr. Speaker, I just wonder whether the committee has considered the wisdom of calling this judge before the committee to show cause why he should not be cited for contempt. This would be something that we might be able to do before we undertake impeachment proceedings.

I realize full well, Mr. Speaker, that if this action were taken, it would be useless to have him cited before a Federal judge, but it might not be a bad idea if this body gave consideration to citing this gentleman for contempt, and, if he were so cited, to try him before the bar of this House. This has been done before. Perhaps now is the time to do it again.

CONGRESS MUST ACT TO PREVENT NEW YORK STATE FROM ABUSING THE PROVISIONS OF TITLE 19 OF MEDICARE

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. STRATTON. Mr. Speaker, I apologize to my colleagues for switching the subject to something else, but I believe it is something which is equally shocking and equally disturbing; namely, the New York medicare law implementing the provisions of title 19 of the Medicare Act.

We passed medicare last year, a very controversial program, but there was no debate on title 19 of that bill, which was regarded as a rather modest extension of the Kerr-Mills Act. However, the New York Times of last Saturday had a story that says that the Department of Health, Education, and Welfare now estimates that the annual cost of this New York program will be $1.4 billion. That means that the Federal share of the New York program will be twice what Congress has estimated would be the annual cost of the entire title 19 program for all 50 States. Yet this Times story says that the Secretary of Health, Education, and Welfare nevertheless intends to approve the New York program as being "reasonable in character."

If this New York implementation of title 19 is approved and if the New York program is then adopted by the other 49 States, I believe we are going to be in serious trouble here in this Congress. Certainly the intent of Congress will be very seriously flouted. I have therefore telegraphed the Secretary and asked him to hold up approval of the New York plan until we in this House can consider the matter more fully.

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

Mr. STRATTON. I am glad to yield to the gentleman from Louisiana, our distinguished majority whip.

Mr. BOGGS. Mr. Speaker, the Committee on Ways and Means, which has jurisdiction over this matter, has been holding very extensive hearings on the whole subject. I suggest the gentleman might, before he sends all these telegrams, talk with the chairman of the committee.

Mr. STRATTON. I appreciate the comment of our distinguished whip. In fact I took this time this morning to bring to the attention of the House and to the Committee on Ways and Means my bill, H.R. 15917, which, if adopted by the committee, will resolve this problem. I hope the gentleman will support my bill in his committee.

THE LEGISLATIVE BRANCH AND THE JUDICIAL BRANCH ON A COLLISION COURSE

Mr. POFF. 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 Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, as the distinguished majority whip has just said, the three-judge court convened this morning dissolved the temporary restraining order. However, I believe it is significant to call attention to the fact that they did so only on the grounds of a technicality. They ruled that the petitioner had failed to show irreparable damage.

I am further advised that the court has convened another session of the three-judge court to sit tomorrow afternoon at 2:30, and that one of the members of that three-judge panel will be the same Judge Corcoran who issued the temporary restraining order.

Mr. Speaker, the legislative branch and the judicial branch of the Federal Government are on a collision course. That course was chosen by the judicial branch. The Congress has not sought to usurp the function of the judiciary. Rather, Judge Corcoran has sought to frustrate the function of the Congress. Ultimately, one branch must yield; the other branch must prevail.

What finally occurs involves the destiny of this Nation. Down one road lies the destination of a continuance of our elective representative democracy operating within the framework of its tripartite form of government. Down the other road lies the destination of an appointive judicial oligarchy where the body of governmental powers is unsubdivided, unseparated and therefore unchecked.

In the present state of things, it is our duty as legislators to resist and defy Judge Corcoran and any judge like him who attempts to trespass upon the domain of the people's elected representatives and emasculate the system of checks and balances which has so long been the security of the people's liberty.

JOHNSON ADMINISTRATION HIGH INTEREST RATES SET NEW RECORDS

Mr. WIDNALL. 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. WIDNALL. Mr. Speaker, the Johnson high-interest-rate administration each week now is setting new highs in the cost of Government financing.

Two weeks ago, a Treasury refunding issue carried a 5¼-percent coupon for a note due in 1971. Already that note issue is selling at approximately one-half point discount under par to yield 5.34 percent.

That coupon was a 45-year high for Treasury financing.

Last week, FNMA sold 25-month, 5⅞-percent debentures at a discount. The issue was priced at 99 30/32 to yield 5.91 percent—the highest interest cost ever paid by FNMA.

Yesterday, the Treasury sold 13-week bills at a new high rate of 5.048 percent. The yield on Treasury bills with a 26-week maturity jumped to 5.315 percent; widely exceeding the previous record of 5.099 percent set in January 1960.

Today, the Federal home loan banks are selling a $590 million bond issue bearing a record 5⅞-percent coupon rate. The bonds, due in 1 year, are priced at 99⅞ to afford a return to investors of 6 percent. Only a month before, the banks sold an issue of 5¾-percent bonds to yield the investor 5.80 percent.

Today, conferees on the Independent Offices Appropriations Act hold their first meeting. The Senate has included a provision authorizing FNMA under the Participation Sales Act to sell $3.2 billion of participations against loans to be pooled by various Government agencies. Sale of these participations in the Johnson administration's tight money market would be a tragic mistake as the added pressure on capital markets only can drive interest rates up and up.

I hope the House conferees will be successful in knocking that participation sales authorization from the bill.

A VIOLATION OF SEPARATION OF POWERS

Mr. DEVINE. 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 Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, a number of my colleagues have preceded me on the subject of Federal judges, most of them bemoaning what Judge Corcoran did in this instance. I would say it is very definitely a violation of the separation of powers for a Federal judge to try to enjoin a congressional committee. However, we are not talking about some constructive results that can be obtained.

There is legislation pending before this body which would limit or reduce the "lifetime" term of Federal judges; this legislation should be set for hearing. I have introduced legislation which would require the U.S. Supreme Court, in order to hold a decision of this body unconstitutional, to have a majority of at least two-thirds of its members agree rather than having a 5-to-4 decision, as they have time and time again in the last decade.

I also have had legislation pending for a number of years here which would, for the first time, spell out specific qualifications for those persons to be appointed on our Federal benches. It seems to me high time that we should have judges experienced in the law as well as judicial review to make these serious decisions. Our laws are completely inadequate on this subject, and silent on meaningful qualifications.

SEPARATION OF POWERS

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 think perhaps in all of the years I have been here there has never been a moment in our history that has been so filled with portent, with possibilites of absolute destruction of our way of life as this particular moment. As an American woman I look to this House and to this Congress and, of course, particularly to the House to do something real, something vital, to preserve our Government and our way of life and our whole method of procedure. We have had battles before among the three different parts of our Government but never anything like this. I beg and implore you who are members of the Committee on the Judiciary and you who are the chairmen of these tremendous committees of this House to get together and move into areas that will tell the people of this country and the people of the world that we are still a government of the people. The power was given to the people in the beginning. Very well. We have let all too much of it slip away from us. Let us face the facts as they are and then stand up and get it back.

CONSTITUTIONAL SEPARATION OF THE POWERS

Mr. LATTA. 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 Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, I agree with practically everything that has been said today by my colleagues concerning Judge Corcoran's decision, but as I listened to these remarks I could not help but recall some of the other decisions that have been announced by Federal courts since I have been privileged to be a Member of this august body. Decision after decision have invaded the legislative field and overstepped the powers of the courts, so the decision by this Johnson appointee of 18 months was almost inevitable. Time after time this Congress has permitted, since I have been a Member, Federal judges to trespass on the legislative duties of this body without ever doing anything about it. The Supreme Court and other Federal courts have legislated in field after field and have taken duty after duty away from this Congress while this body—with its Democratic leadership—has sat idly by. I have seen members of the Committee on the Judiciary come to this floor after one of these decisions had been announced and actually agree with the takeover when they should have been insisting that the committee report remedial legislation forthwith. Take for example the Supreme Court's decision dealing with the reapportionment of State legislatures. Clearly an area which should be and had been, left to the States. Did the Judiciary bring us any legislation? No, it more or less sanctioned the takeover by its inaction. Why, this inaction has so encouraged these Federal courts that they are now even legislating by drawing district lines not only in the case of State legislation districts but in some States for congressional districts. I could point out other areas where the courts are legislating but time will not permit.

Mr. Speaker, I think it is past time for this Congress to measure up to its legislative responsibilities and to make amends in these areas where the courts have trespassed. We have a constitutional duty to do so. The people expect us to do so as they want us to remain in the legislative branch of the Government. The responsibility for action, Mr. Speaker, rests with you and your party—your party is in the majority.

Mr. Speaker, I am glad to hear our colleagues speak out this morning against this inevitable decision, a judge ruling that the Congress cannot legislate in a given field.

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

CALM REQUIRED IN WAKE OF JUDICIAL DECISION BEARING UPON LEGISLATIVE PREROGATIVES

Mr. PEPPER. 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 Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, I share the grave concern of the Members of this House over the judicial decision which has been brought into question here this morning restraining the functioning of a committee of this House.

Mr. Speaker, I think the judge was thoroughly wrong, and I want to do all I can, with my colleagues, to protect and preserve and to assert the proper prerogatives of this House of Representatives and of the Congress of the United States.

But, Mr. Speaker, I think grievous harm can be done to our constitutional system if what has been said here this morning, particularly, by some able Members, might be interpreted by the country as meaning two things: One, that this Congress does not recognize that there are immunities of citizens, even from the power of the Congress, when they are properly presented in a proper manner.

And, secondly, that this House asserts the prerogative of omnipotence. Under the Constitution of the United States we do not have omnipotent power, and as Lord Coke said to the king who wanted to sit on his court, "The king, too, is under the law."

And so, Mr. Speaker, is the House of Representatives, as well as the other body and the President and the courts as well.

So, Mr. Speaker, let us keep this debate and curb our indignation within our Constitution.

Mr. Speaker, this matter of the right of these people to express their opinion about the war in Vietnam or any other matter is one thing that should be preserved and properly protected. This was the wrong way in which to do it that this judge expressed.

But, Mr. Speaker, let us not let what has been said here today in our just indignation, be notice to the American people, that this House does not recognize the power and the right and the duty of the courts in proper cases and in the proper manner to protect the constitutional rights of the citizens, and that we deny that we, as Lord Coke told the King he was, are under the law.

THE DISTINCTION BETWEEN RIGHT OF PEOPLE TO EXPRESS AN OPINION AND TREASON

Mr. HAYS. 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 Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I think there is considerable difference, if I may point out to my distinguished colleague, the gentleman from Florida [Mr. PEPPER] between the right of people to express their opinion and treason—and I call it treason advisedly—which is sending money, supplies and aid and comfort to an enemy of this country.

Now, Mr. Speaker, as far as I am concerned, anybody can disagree with what we are doing in Vietnam, verbally; they can visit there if they want to, and they can protest.

But, Mr. Speaker, when they start sending money and supplies, and even blood, to the people who are killing American soldiers, I say that comes under the heading of treason.

Mr. Speaker, perhaps we ought to have a declaration of war, so that the law of treason would apply.

Mr. Speaker, I have always thought that this thing in Vietnam should be kept within bounds, and I have supported the moderation which has been evidenced by our leaders, and I still support it. But I do not believe anyone can get up here and throw a cloak of immunity over some of the actions of some of these people and call it "dissent," because it goes far beyond dissent.

I would just like also to observe that I have read the Constitution and the judicial, the executive, and the legislative branches are equal. I have defended the courts from time to time, but I think this decision by Judge Corcoran was absolutely outrageous. I assume that before I came on the floor someone has pointed out the fact that he could possibly be impeached and that may not be such a bad idea.

ENCROACHMENT BY THE JUDICIARY UPON THE LEGISLATIVE

Mr. HUNGATE. 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 Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, I would like to join with the distinguished gentleman from Louisiana [Mr. BOGGS] who opened a good part of this discussion and the distinguished gentleman from Florida [Mr. PEPPER] in their remarks.

Mr. Speaker, I think we must beware of extremism. I feel that impeachment might be an extreme remedy. Just as I cannot agree with those who would assert that if the jackasses of the world united together and did not elect all the members of the Federal judiciary members for life, they would not get their just desserts—I think that is too extreme.

However, as the distinguished gentleman from Ohio pointed out, we have proceeded along the road that led to decisions in the field of prayer and religion in the schools, with which some disagree. Taking away the right of interrogation of suspects from police officers, with which many disagree. We have observed conduct on the bench of multiple marriages, although in series, with which many disagreed. We have witnessed action at the State legislative level where the State governments patterned their governments after ours and were told that they could not do so.

But now, Mr. Speaker, we have struck a Federal nerve and it may be that we are too late in our protests because as indicated previously, it is not too long a step from permitting judicial legislation to one where the court then says that no one else shall legislate—although, of course, this decision would not reach nearly so far.

I think we might remember that in the beginning of this country there was some dissatisfaction with the form of justice administered in England. This resulted in the fact that in colonial days you did not have to be a lawyer to be a judge and nearly all judges at all levels were elected. Perhaps the wheel is turning around to approximately the same place again.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

PEDRO IRIZARRY GUIDO

The Clerk called the bill (H.R. 2914) for the relief of Pedro Irizarry Guido.

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

Mr. GROSS and Mr. HALL objected and the bill was recommitted to the Committee on the Judiciary.

DIRECTING THE SECRETARY OF THE INTERIOR TO ADJUDICATE A CLAIM TO CERTAIN LAND IN MARENGO COUNTY, ALA.

The Clerk called the bill (H.R. 4841) to direct the Secretary of the Interior to adjudicate a claim to certain land in Marengo County, Ala.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

COMPENSATION FOR CANCELLATION OF GRAZING PERMITS

The Clerk called the bill (S. 1375) providing a method for determining the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them due to the cancellation of their grazing permits by the U.S. Air Force.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

FRED E. STARR

The Clerk called the bill (S. 1068) for the relief of Fred E. Starr.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

MRS. RAISLA STEIN AND HER TWO MINOR CHILDREN

The Clerk called the bill (H.R. 1945) for the relief of Mrs. Raisla Stein and her two minor children.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

ARLINE AND MAURICE LOADER

The Clerk called the bill (H.R. 2016) for the relief of Arline and Maurice Loader.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

DEMETRIOS KONSTANTINOS GEORGARAS—ALSO KNOWN AS JAMES K. GEORGARAS

The Clerk called the bill (H.R. 2146) for the relief of Demetrios Konstantinos Georgaras—also known as James K. Georgaras.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

MRS. MELBA B. PERKINS

The Clerk called the bill (H.R. 3275) to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claim of Mrs. Melba B. Perkins against the United States.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

ROBERT L. MILLER AND MILDRED M. MILLER

The Clerk called the bill (H.R. 4457) for the relief of Robert L. Miller and Mildred M. Miller.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

ROBERT A. HARWELL

The Clerk called the bill (H.R. 6039) for the relief of Robert A. Harwell.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

GILMOUR C. MACDONALD, COLONEL, U.S. AIR FORCE, RETIRED

The Clerk called the bill (H.R. 7546) for relief Gilmour C. MacDonald, colonel, U.S. Air Force, retired.

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

H.R. 7546

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any statute of limitations, lapse of time, or bars of laches, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment upon any claim, legal or equitable, filed by Gilmour C. MacDonald, colonel, United States Air Force (retired), Shalimar, Florida, for compensation for the usage by the United States during World War II and the Korean conflict of a tubular caltrop tire-puncturing device allegedly invented by the said Gilmour C. MacDonald, the said Gilmour C. MacDonald having submitted drawings and models of such device to the National Inventors Council, Department of Commerce, in 1940, with the alleged understanding that he would be compensated for his invention if it were used by the United States.

SEC. 2. Suit upon any such claim may be instituted at any time within one year after the date of the enactment of this Act. Except as otherwise provided herein, proceedings for the determination of such claim, and review and payment of any judgment thereon shall be had in the same manner as in the case of claims over which the Court of Claims has jurisdiction under section 1491 of title 28 of the United States Code. Nothing in this Act shall be construed as an inference of liability on the part of the United States.

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

JOHN T. KNIGHT

The Clerk called the bill (H.R. 8694) conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of John T. Knight.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

MR. AND MRS. HOWARD H. ADELBERGER

The Clerk called the bill (H.R. 8727) for the relief of Mr. and Mrs. Howard H. Adelberger.

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

H.R. 8727

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $18,810 to Mr. and Mrs. Howard H. Adelberger, 5455 Valley Pike, Dayton, Ohio, in full settlement of their claim against the United States for damages to real estate sustained in July 1958 in connection with certain construction activities at Wright-Patterson Air Force Base, Ohio, by the Corps of Army Engineers. This claim is not cognizable under the tort claims provisions of title 28, United States Code: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike all after the enacting clause and insert:

"That jurisdiction is hereby conferred upon the United States District Court for the Southern District of Ohio, Western Division, to hear, determine, and render judgment on the claims of Howard H. Adelberger and Nola A. Adelberger, his wife, against the United States for damages and loss of value with reference to the following described real property:

"Situate on the north side of State Routes 4 and 69 and west of Bath Road in Bath Township, Fairborn School District, section 8, town two, range 8, M.Rs., Greene County, Ohio, and consisting of 32.76 acres, more or less, and is approximately seven miles east of Dayton, Ohio,

due to the lowering of the water table in the above-described property and the lowering of the level of a lake on that property due to the dredging of the Mad River and the lowering of the level of that river north of the Wright-Patterson Air Force Base. Notwithstanding any principle or rule of law, the court in the exercise of the jurisdiction provided in this Act is authorized to render judgment in behalf of the owners of the property described herein if it shall find that the value of the property has been reduced by reason of the dredging and stream improvement work performed by the United States. The action authorized by the provisions of this Act shall be instituted within one of the effective date of this Act."

The committee amendment was agreed to.

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

EDWARD G. BEAGLE, JR.

The Clerk called the bill (H.R. 13909) for the relief of Edward G. Beagle, Jr.

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

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

CHARLES J. ARNOLD

The Clerk called the bill (H.R. 13910) for the relief of Charles J. Arnold.

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

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

DELMA S. POZAS

The Clerk called the bill (S. 146) for the relief of Delma S. Pozas.

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

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

GEORGES FRAISE

The Clerk called the bill (S. 196) for the relief of Georges Fraise.

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

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

SUSPENSION OF DEPORTATION

The Clerk called the Senate concurrent resolution (S. Con. Res. 99) favoring the suspension of deportation of certain aliens.

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

Mr. HALL. Mr. Speaker, I ask unanimous consent that the Senate concurrent resolution be passed over without prejudice.

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

There was no objection.

DINESH KUMAR PODDAR

The Clerk called the bill (S. 2663) for the relief of Dinesh Kumar Poddar.

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

S. 2663

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Dinesh Kumar Poddar may be classified as a child within the meaning of section 101(b)(1)(F) of the said Act and a petition may be filed by Mr. and Mrs. Bhagwati P. K. Poddar, a lawfully resident alien and a citizen of the United States, respectively, in behalf of the said Dinesh Kumar Poddar pursuant to section 204 of the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Dinesh Kumar Poddar and Girish Kumar Poddar may be classified as children within the meaning of section 101(b)(1)(F) of the Act, upon approval of petitions filed in their behalf by Mr. and Mrs. Bhagwati P. K. Poddar, a lawfully resident alien and a citizen of the United States, respectively, pursuant to section 204 of the Act."

The committee amendment was agreed to.

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. GRAY] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. GRAY. Mr. Speaker, I rise in support of private bill S. 2663, for the relief of Dinesh K. Poddar, adopted son of Dr. and Mrs. Bhagwati P. K. Poddar, which has been amended to include the subject of my bill, H.R. 14521, Girish K. Poddar, the second adopted son of Dr. and Mrs. Bhagwati P. K. Poddar. He is 13 years of age and was adopted last December 23, 1965.

The first adopted son, Dinesh, is the beneficiary of S. 2663, which recently passed the Senate and it was my purpose in introducing my bill, H.R. 14521, to classify the second adopted son, Girish, as an eligible orphan in order that his adoptive parents, Dr. and Mrs. Bhagwati P. K. Poddar, can petition to bring him to the United States at the same time they are bringing the older adopted son, Dinesh, to this country with them. The natural parents of Girish in India are extremely poor and have legally released him for adoption by his aunt and uncle, who are permanent residents of the United States and are quite capable in every way of caring for both beneficiaries.

At the present time, Dr. Bhagwati Poddar is studying in India on a research grant and wishes very much to bring both sons back to the United States in August when he and Mrs. Poddar will return to the United States to continue residence here where he will resume teaching at the Illinois State University, Normal, Ill.

Mr. Speaker, my bill has now been made the subject of an amendment to S. 2663 so that both orphan boys are included in this measure now before the House for consideration. The beneficiaries have been medically examined and are medically qualified to receive a visa, and I therefore recommend passage of S. 2663, as amended, in view of the very short time left until the Poddars will be returning to the United States in the hope of bringing both sons back with them for permanent residence.

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

The title was amended so as to read: "An Act for the relief of Dinesh Kumar Poddar and Girish Kumar Poddar."

A motion to reconsider was laid on the table.

MISS ELISABETH VON OBERNDORFF

The Clerk called the bill (H.R. 3901) for the relief of Miss Elisabeth von Oberndorff.

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

H.R. 3901

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Alien Property Custodian be, and is hereby, authorized and directed to return all funds vested by the Office of Alien Property through order numbered 4115, October 2, 1944, belonging to Elisabeth von Oberndorff: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

USE OF THE VESSEL "JOHN F. DREWS"

The Clerk called the bill (H.R. 14517) to amend Private Law 86–203 to permit the use of the vessel *John F. Drews* in the coastwise trade while it is owned by a citizen of the United States.

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

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

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

There was no objection.

CONVEYING CERTAIN LANDS IN INYO COUNTY, CALIF.

The Clerk called the bill (H.R. 9520) to authorize the Secretary of the Interior to convey certain lands in Inyo County, Calif., to the personal representative of the estate of Gwilym L. Morris, Dolores G. Morris, George D. Ishmael, and Verna H. Ishmael.

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

H.R. 9520

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 and directed to issue, subject to the provisions of this Act to the persons named below, who have previously filed desert land entries on the lands involved, patents to the following described tracts of land in the county of Inyo, State of California.

(1) Township 27 north, range 4 east, San Bernardino meridian, section 27: west half containing 320 acres to the personal representative of the Estate of Gwilym L. Morris.

(2) Township 27 north, range 4 east, San Bernardino meridian, section 28: east half containing 320 acres to Dolores G. Morris.

(3) Township 27 north, range 4 east, San Bernardino meridian, section 27: east half containing 320 acres to George D. Ishmael.

(4) Township 27 north, range 4 east, San Bernardino meridian, section 26: west half containing 320 acres to Verna H. Ishmael.

SEC. 2. Each patent authorized to be issued by section 1 of this Act may be issued only after payment, by the beneficiary of this Act to the United States, of the sum of (a) the fair market value of the lands as of the effective date of this Act less the value added to the land by the beneficiary, and (b) the administrative costs of making the conveyance, both as determined by the Secretary.

SEC. 3. Any patent issued under this Act shall contain a reservation to the United States of (a) any of the following named minerals for which the land is deemed by the Secretary of the Interior to be valuable or prospectively valuable as of the date of issuance of patent: coal, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rock or sands, from which oil is recoverable only by special treatment after the deposit is mined or quarried), oil, gas, oil shale, phosphate, sodium, and potassium, and (b) the right of the United States, its lessees, permittees, or licensees to prospect for, mine, and remove them under applicable provisions of low.

SEC. 4. No conveyance to any beneficiary of this Act shall be made unless application for the conveyance is made to the Secretary of the Interior within one year after the effective date of this Act and payment is made to the Secretary of the Interior within the period allowed therefor by him.

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

HARRIET C. CHAMBERS

The Clerk called the bill (S. 2104) for the relief of Harriet C. Chambers.

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

S. 2104

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to quiet title to the following described tract of land situated within the boundaries of the Shoshone National Forests, Wyoming, and held and claimed by Harriet C. Chambers, of Lander, Wyoming, under a chain of title dating from March 29, 1902, the Secretary of Agriculture is authorized and directed to convey to the said Harriet C. Chambers by quitclaim deed all right, title, and interest

of the United States in and to such tract of land, more particularly described as follows: The southeast quarter of the southeast quarter of section 34, township 31 north, range 100 west, sixth principal meridian, Fremont County Wyoming, consisting of forty acres more or less.

SEC. 2. The conveyance authorized by the first section of this Act shall be made by the Secretary of Agriculture without consideration, but the said Harriet C. Chambers shall bear any expenses incident to the preparation of the legal documents necessary or appropriate to carry out the first section of this Act.

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

LAND TRANSFER TO DANVILLE, ILL.

The Clerk called the bill (H.R. 16407) authorizing the Administrator of Veterans' Affairs to convey certain property to the Danville Junior College, Danville, Ill.

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

H.R. 16407

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized to convey, without monetary consideration, to the Danville Junior College, Danville, Illinois, for its use for educational purposes, all right, title and interest of the United States in a tract of approximately seventeen acres of land and to a tract of approximately forty-one acres of land and all buildings thereon, constituting a portion of the reservation of the Veterans' Administration Facility, Danville, Illinois. The exact legal description of the tracts and improvements thereon shall be determined by the Administrator of Veterans' Affairs, and if a survey is required in order to make such determination, Danville Junior College, Danville, Illinois, shall bear the expense thereof.

SEC. 2. Any deed of conveyance made pursuant to this Act shall—

(a) provide that the property conveyed shall be used in a manner that will not, in the judgment of the Administrator of Veterans' Affairs, or his designate, interfere with the care and treatment of patients in the Veterans' Administration Facility, Danville, Illinois;

(b) contain such additional terms, conditions, reservations, easements, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interest of the United States;

(c) provide that if Danville Junior College, Danville, Illinois, violates any provision of the deed of conveyance or alienates or attempts to alienate all or any part of the property so conveyed, title thereto shall revert to the United States; and that a determination by the Administrator of Veterans' Affairs of any such violation or alienation or attempted alienation shall be final and conclusive; and

(d) provide that in the event of such reversion, all improvements made by Danville Junior College, Danville, Illinois, during its occupancy shall vest in the United States without payment of compensation therefor.

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

RELIEF OF MULE CREEK OIL CO., INC.

The Clerk called the bill (H.R. 8699) for the relief of Mule Creek Oil Co., Inc., a Delaware corporation.

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

H.R. 8699

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 31 of the Mineral Leasing Act of February 25, 1920 (30 U.S.C. 188), the Secretary of the Interior is authorized and directed to receive, consider, and act upon any petition of the Mule Creek Oil Company, Incorporated, a Delaware corporation, filed within one hundred and eighty days after the date of enactment of this Act, for reinstatement of United States oil and gas lease "Wyoming 070268(A)", as if such petition had been filed within the time provided in such section and such section had been applicable thereto.

With the following committee amendment:

Page 1, line 4, after "1920", insert ", as amended,".

The committee amendment was agreed to.

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

AMEND CHARTER OF SOUTHEASTERN UNIVERSITY OF THE DISTRICT OF COLUMBIA

The Clerk called the bill (H.R. 16608) to amend the charter of Southeastern University of the District of Columbia.

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

H.R. 16608

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act for the relief of the Southeastern University of the Young Men's Christian Association of the District of Columbia", approved August 19, 1937 (50 Stat. 697), is amended to read as follows:

"SEC. 3. The management of the said corporation shall be vested in a board of trustees consisting of not less than nine nor more than thirty in number, as determined from time to time by said board of trustees, one-third of whom, at all times, shall be graduates of said university, of the qualifications prescribed by said board of trustees, nominated by the alumni of said university in the manner prescribed by said board of trustees, and all of whom shall be elected by said board of trustees. Except as hereinafter provided, each trustee shall be elected for a term of office of three years from the date of expiration of the term for which his predecessor was elected so that the terms of office of not more than one-third of the trustees shall expire annually. A trustee elected to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be elected only for the unexpired term of such predecessor."

SEC. 2. Section 6 of such Act is amended to read as follows:

"SEC. 6. The income of the said corporation from all sources whatsoever shall be held in the name of the corporation and applied to the maintenance, endowment, promotion, and advancement of the said university, subject to conforming to the express conditions of the donor of any gift, devise, or bequest accepted by said corporation, with regard to the income therefrom."

SEC. 3. The amendments made by this Act shall not affect the term of office of any trustee in office on the date of its enactment.

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

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that further reading of the Private Calendar be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. That concludes the call of the Private Calendar.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 222]

Anderson, Ill.	Ford, William D.	Olson, Minn.
Andrews, Glenn	Garmatz	O'Neill, Mass.
Baring	Gilligan	Powell
Barrett	Goodell	Purcell
Blatnik	Grabowski	Quie
Bolling	Gubser	Randall
Bray	Gurney	Rees
Brown, Calif.	Hagan, Ga.	Resnick
Broyhill, Va.	Hansen, Wash.	Rivers, Alaska
Burton, Utah	Hawkins	Rogers, Tex.
Byrnes, Wis.	Hébert	Roncalio
Callaway	Holifield	Rostenkowski
Cameron	Holland	Scott
Celler	Kastenmeier	Senner
Cohelan	King, N.Y.	Sickles
Conyers	Landrum	Skubitz
Corman	Long, La.	Stephens
Cramer	McCulloch	Teague, Tex.
Davis, Ga.	Martin, Ala.	Todd
Diggs	Martin, Mass.	Toll
Dorn	Matthews	Tunney
Duncan, Oreg.	Mink	Tupper
Edwards, La.	Mize	Tuten
Fallon	Moorhead	Vivian
Farnsley	Morris	Walker, Miss.
Flood	Morrison	White, Idaho
Flynt	Murray	Willis
Fogarty	O'Brien	Wilson, Charles H.
Ford, Gerald R.	Olsen, Mont.	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall, 347 Members have answered to their names, a quorum.

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

LEGISLATIVE BRANCH APPROPRIATIONS, 1967

Mr. GEORGE W. ANDREWS. Mr. Speaker, I call up the conference report on the bill (H.R. 15456) making appropriations for the legislative branch for the fiscal year ending June 30, 1967, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama [Mr. GEORGE W. ANDREWS]?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1852)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15456) "making appropriations for the legislative branch for the fiscal year ending June 30, 1967, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 27, 34, 39, and 40.

That the House recede from its disagreement to the amendments of the Senate numbered 36, 37, 38, 41, 44, 45, 47, 48, 49, 50, 51, and 52,

And agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 35, 42, 43, 46, 53, and 54.

GEORGE W. ANDREWS,
TOM STEED,
MICHAEL J. KIRWAN,
JOHN M. SLACK, Jr.,
JOHN J. FLYNT, Jr.,
GEORGE MAHON,
ODIN LANGEN,
BEN REIFEL,
FRANK T. BOW,
Managers on the Part of the House.

A. S. MIKE MONRONEY,
E. L. BARTLETT,
WILLIAM PROXMIRE,
RALPH YARBOROUGH,
CARL HAYDEN,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
THOMAS H. KUCHEL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at a conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15456) making appropriations for the legislative branch for fiscal year ending June 30, 1967, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

SENATE AND HOUSE OF REPRESENTATIVES

Amendments Nos. 1 through 33, under the Senate heading, and Nos. 42 and 43 under the Architect of the Capitol heading, relate solely to expenses of Senate operations and activities. Amendment No. 34 relates to an item for the House of Representatives.

Amendments Nos. 1 through 12; 14 through 26; 28 through 33; and 42 and 43, relating to Senate operations, are reported in technical disagreement. But in accord with the long and well-founded practice, under which each body determines its own housekeeping requirements and the other concurs therein without intervention, the managers on the part of the House will offer motions to recede and concur in these amendments.

Amendment No. 13, in part, would create additional positions on the Senate roll of the Capitol Police force. The rates of base pay specified for the officer positions are the same as those stated in amendment No. 54 which are designed to bring the pay of supervisory positions of the force closer to parity with those provided in H.R. 15857 for their counterparts in the Metropolitan Police force. But since H.R. 15857 has not yet been processed in the Senate, the rates in amendment 54 are in the interim excessive to the objective, and would be scaled back as explained later herein in connection with amendment 54. Consequently, the managers on the part of the House will offer a motion to recede and concur in amendment No. 13 with appropriate conforming changes in the salary rates.

Amendments Nos. 27 and 34 relate to administration of the customary stationery allowances long granted to Members of Congress; No. 27 relates to the Senate and No. 34 to the House of Representatives. Both of course originated in the Senate. In line with the well-founded practice in respect to expenses of the other body, the managers on the part of the House do not object to existing Senate provisions on the subject remaining unchanged. The companion amendment, No. 34, is also omitted.

Joint items

General Expenses, Capitol Police

Amendment No. 35: Reported in disagreement for the purpose of offering a motion to increase the amount by $33,000—to a total of $95,500—to provide clothing and equipment outfitting and first year maintenance costs for the 72 additional police positions authorized June 29, 1966 in House Resolution 796 which covered only salaries.

Capitol Police Board

Amendments Nos. 36–38: Adjust the compensation of two detectives—permanently detailed to the Capitol Police Force—who act as detective sergeants, so as to equalize their pay with that of a fellow detective similarly serving on the House side.

Architect of the Capitol

Office of the Architect

Amendment No. 39: Appropriates $647,700 for salaries in the office of the Architect of the Capitol as proposed by the House instead of $635,000 proposed by the Senate.

Amendment No. 40: Strikes the language inserted by the Senate prohibiting the use of any appropriation in the bill for "administrative or any other expenses in connection with the plans referred to as schemes 1, 2, and 3 for the extension of the west central front of the Capitol." (NOTE.—The three schemes are briefly described in the S. Rept. No. 1409, on this bill.)

There are no funds in the bill for the west front extension project, nor is there any authority to proceed with construction contracts, or even detailed plans and specifications. The work can proceed only if and when the Congress should appropriate the money for the work in a future bill.

$300,000 was, however, appropriated by the Congress last year for preparation of preliminary plans and estimates of cost, including a model, and incidental expenses looking to extension of the west central front. Most of that fund is already contracted. While the associate architects engaged for this purpose completed the first stage study and plans earlier this year, from which schemes 1, 2, and 3 were developed, and for which a study model (of scheme 2) was made, more time is necessarily required for perfection of plans and drawings and preparation of a full scale model for the scheme (2) selected by the special Extension Commission. At its meeting with the architects in June, the Commission directed the Architects to get the full scale model ready for exhibition to Members of Congress and the public generally.

A full scale model showing the entire Capitol Building—both east and west fronts—should be of great, almost inestimable visual-aid value in helping Members, the press, and the public generally form sound opinions about the appearance of the building if extended and the effect of the particular proposals in Scheme 2 on the architectural features of the present west front. But the conferees understand that the full scale model will not be ready to place on display until about mid-November.

In the circumstances, then, it would be premature, and illogical, to consider any further appropriations for the west front project at this session.

Capitol Grounds

Amendment No. 41: Appropriates $695,400 for care and improvement of the Capitol Grounds as proposed by the Senate instead of $690,000 proposed by the House.

Senate office buildings and garage

Amendments Nos. 42–43: Reported in technical disagreement but, as explained earlier herein in connection with other Senate housekeeping items, motions will be offered to recede and concur in the Senate provisions.

Structural and mechanical care of Library buildings and grounds

Amendment No. 44: Appropriates $1,392,000 for this purpose as proposed by the Senate instead of $1,517,000 proposed by the House.

Botanic Garden

Amendment No. 45: Appropriates $504,600 for this item as proposed by the Senate instead of $510,000 proposed by the House.

Library of Congress

Amendment No. 46: Reported in technical disagreement. Motion will be made to recede and concur in the Senate amendment, which will provide for the transfer of funds from appropriations of the Office of Education to continue the Monthly Index of Russian Accessions.

Legislative Reference Service

Amendment No. 47: Appropriates $2,938,000 for this service as proposed by the Senate instead of $2,852,000 as proposed by the House.

Distribution of catalog cards

Amendment No. 48: Appropriates $4,564,000 as proposed by the Senate for the catalog card and publication service instead of $4,536,000 proposed by the House.

Special foreign currency program

Amendments Nos. 49–51: Appropriates $2,268,000 for this program of acquisition of library materials abroad as proposed by the Senate instead of $2,228,000 proposed by the House, of which $2,088,000 as proposed by the Senate instead of $2,048,000 proposed by the House is to be available only in the form of U.S.-owned foreign currencies determined to be excess to normal U.S. requirements.

The effect is to approve inauguration of a limited program in Ceylon.

Overseas allowances

Amendments Nos. 52–53: Adopt, in modified form, the Senate provision on this subject, under which payments may be authorized with respect to American employees of the Library stationed abroad.

General provisions

(But Relating to Capitol Police Force)

Amendment No. 54: Adopts, in modified form, Senate provision adjusting base pay of officer positions on the Capitol Police force so as to bring them near parity with that of comparable ranks in the Metropolitan Police. But since the rates in the Senate amendment were keyed to the higher rates set for Metropolitan Police in H.R. 15857 which has passed the House but is still in Senate Committee, the rates in the Senate amendment have been scaled down approximately to the present metropolitan rates and a contingency proviso added that will return

the rates to the original figures when and if H.R. 15857 or similar legislation is enacted.

GEORGE W. ANDREWS,
TOM STEED,
MICHAEL J. KIRWAN,
JOHN M. SLACK, Jr.,
JOHN J. FLYNT, Jr.,
GEORGE MAHON,
ODIN LANGEN,
BEN REIFEL,
FRANK T. BOW,
Managers on the Part of the House.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama [Mr. GEORGE W. ANDREWS].

Mr. GEORGE W. ANDREWS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the conference report is available in leaflet form at the desk. It is brief and uncomplicated. The statement of the managers explains the conference action rather fully. So I shall be brief.

CONFERENCE TOTAL

First, as to the totals: The Conference agreement involves a total of $214,463,913.

The conference total is within the President's budget; it is $285,850 below the President's budget estimates considered in connection with the bill. There was also a budget item of $46,663,000 for a new GPO plant which we did not consider; but that is entirely outside the totals I just gave.

A total of $42,271,880 was in conference. That is the total added by the Senate to the House bill. But $42,243,080, or all but the nominal sum of $28,800, represented insertion of amounts for purely Senate items which by long—and I might add, well founded—practice the House omits from the original bill. And under that practice, we concur without intervention in the purely Senate items as determined by the Senate. They determine their requirements; the House determines its amounts. It is a near perfect system because it works—and works quite well; it is a practice born of long experience.

So, Mr. Speaker, there was very little in the way of money differences in conference. I will insert a table showing the usual comparative amounts. I might just say that the table will show the conference bill some $16,488,606 above fiscal 1966 appropriations. It is pertinent to also say that nearly all of that increase—$15 million of it—is a nonexpenditure addition to the reimbursable working capital fund of the GPO.

STATIONERY ALLOWANCE

Mr. Speaker, as I say, the system of comity under which each House determines its own housekeeping is a good system—but not quite perfect. The Senate, by floor amendments, undertook to make some decided changes in provisions of existing law with respect to administration of official stationery allowances of Senators. But they did not stop there—they put in an amendment making essentially identical changes in the long-standing provisions with respect to such allowances for Members of the House.

No one on this side—so far as I know—had felt the need or saw any justification for any such changes. No one over here—so far as I know—had made any study of the matter. And in any event, it was an intrusion not harmonious with the well-founded practice long followed in connection with this annual appropriation bill. May I just repeat what the statement of the managers says; namely, that in line with the well-founded practice in respect to expenses of the other body, the managers on the part of the House do not object to existing Senate provisions on the subject remaining unchanged—which they would do under this conference report. The companion amendment relating to the House, therefore, also is omitted.

WEST CENTRAL FRONT OF CAPITOL

Mr. Speaker, probably the most celebrated—certainly the most controverted subject dealt with in this bill has to do with the proposal to extend the badly deteriorated west central front of the Capitol Building. And, Mr. Speaker, we have—by my own estimation at least—accomplished a remarkable settlement insofar as this bill is concerned.

Every conferee agreed.

Every member of the conference on both sides signed the report without noting any reservation.

And if I interpreted this morning's news correctly, those on all sides of the question who were reported in the paper are agreeable to the solution agreed upon.

We have removed from the bill the rather sweeping Senate language that would have prohibited the use of any appropriation in the bill for "administrative or any other expenses in connection with the plans referred to as schemes 1, 2, and 3 for the extension of the west central front of the Capitol."

Actually, Mr. Speaker, there were no funds; there are no funds in the bill for the west front extension project, nor is there any authority to proceed with construction contracts, or even detailed plans and specifications. The work can proceed only if and when the Congress should appropriate the money for the work in a future bill.

But what we have said, Mr. Speaker, and what we indicate by this action—and I want to emphasize this—is that, in the present circumstances, it would be premature, and illogical, to consider any further appropriation for the west front project at this session of Congress. It can be taken up at a future time, but we are all agreed that now is not the propitious time.

Everyone who knows anything at all about the matter agrees that something must be done to the west central front of this magnificent building. Congress, rightly or wrongly depending on one's point of view, last year took a first step—in the direction of plans for extension of the front.

A fund of $300,000 was appropriated for preparation of preliminary plans and estimates of cost, including a model. Most of that fund is already contracted. More time is necessarily required for perfection of those plans and drawings and preparation of a full scale model for the scheme—No. 2—selected by the special Extension Commission.

A full-scale model showing the entire Capitol Building—both east and west fronts—should be of great, almost inestimable visual aid value in helping Members, the press, and the public generally in forming sound opinions about the appearance of the building if extended and the effect of the particular proposals in scheme 2 on the architectural features of the present west front. But the conferees understand that the full-scale model will not be ready to place on display until about mid-November.

The Senate amendment would probably have stopped the already approved work right in its tracks. The conference agreement lets the work continue. A model should certainly be a big help to many Members and people at the proper time. And I repeat, that everyone, of every opinion on this much controverted subject, ought to have, and I believe will have, an opportunity to express himself at the proper time.

Mr. Speaker, I believe that touches the main questions presented in this conference report.

Mr. Speaker, under leave to extend my remarks, I include the customary comparative summary of the bill:

Legislative branch appropriation bill, 1967

Item	Appropriations, 1966	Budget estimates, 1967	Passed House	Passed Senate	Conference action	Conference action compared with— Appropriations, 1966	Budget estimates, 1967	House	Senate
Senate	$37,586,790	$38,368,285	(1)	$39,655,180	$39,655,180	+$2,068,390	+$1,286,895	+$39,655,180	
House of Representatives	71,352,050	72,797,545	$77,676,145	77,676,145	77,676,145	+6,324,095	+4,878,600		
Joint items	8,892,267	9,771,433	9,671,488	9,683,988	9,716,988	+824,721	−54,445	+45,500	+$33,000
Architect of the Capitol	26,980,600	14,472,600	11,812,700	14,268,300	14,281,000	−12,699,600	−191,600	+2,468,300	+12,700
Botanic Garden	473,000	538,000	510,000	504,600	504,600	+31,600	−33,400	−5,400	
Library of Congress	26,351,600	31,146,000	29,820,100	29,974,100	29,974,100	+3,622,500	−1,171,900	+154,000	
Government Printing Office	26,329,000	[2] 47,655,900	42,655,900	42,655,900	42,655,900	+16,326,900	−5,000,000		
James Madison Memorial Commission	10,000					−10,000			
Total	197,975,307	[2] 214,749,763	172,146,333	214,418,213	214,463,913	+16,488,606	−285,850	+42,317,580	+45,700

[1] In accord with custom, items relating solely to the Senate are omitted from the original House bill.

[2] Excludes $46,663,000 for new GPO plant not considered.

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

Mr. GEORGE W. ANDREWS. I yield to the gentleman from Tennessee.

Mr. BROCK. Is the $2,468,300 additional, in excess of what the House originally passed, to be used for the proposed west front? Is that in this?

Mr. GEORGE W. ANDREWS. Will the gentleman repeat the question, please?

Mr. BROCK. As I understand it, the conference is recommending an increase of $2,468,300 for the Architect of the Capitol in excess of that passed by the House. For what purpose are these added funds? Does that relate to the west front?

Mr. GEORGE W. ANDREWS. No, there is no moneys in this bill with reference to the west front extension project.

Mr. BROCK. What is the purpose of the money?

Mr. GEORGE W. ANDREWS. I do not have the details with me here in the well of the House, but the largest item would be for operation of the Senate office buildings.

Mr. BROCK. Mr. Speaker, will the gentleman yield further?

Mr. GEORGE W. ANDREWS. I yield to the gentleman.

Mr. BROCK. Is there no specific purpose for the $2.5 million additional in funds?

Mr. GEORGE W. ANDREWS. Mostly for the Senate operations—in this instance, an item for the Senate but under administration of the Architect. The House never initiates appropriations for Senate activities. The Senate adds those to the House bill, and we concur.

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

Mr. GEORGE W. ANDREWS. I yield to the gentleman from Minnesota, a member of the committee.

Mr. LANGEN. Mr. Speaker, on page 4 and on page 5, there are items for the Senate under the Architect's heading. This is what accounts for most of the $2,468,300. They all relate to building repairs, mantenance, and expenditures as proposed by the Senate. Originally, the House does not consider those. That is the reason they show up now, as an increase. It is the prerogative of the Senate to provide for those items, much the same as we do for whatever repairs are needed on the House side.

I think the figure of $2,468,300 is a net figure, composed of the two items I just referred to, offset partly by a reduction of $125,000 cut by the Senate from the House bill relating to an elevator for the Library Annex Building. We agreed with that cut.

Mr. BROCK. I thank the gentleman.

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

Mr. GEORGE W. ANDREWS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, the Members of the House are often accused of getting free haircuts and free bottled or spring water. Is there any money in this bill for either free haircuts or spring water for Members of the House?

Mr. GEORGE W. ANDREWS. I can assure the gentleman categorically that there is no money in this bill for free haircuts or mineral water or any such items as that for Members of this House.

Mr. GROSS. One other question. Is there any money in this bill for the manning of the automatic elevators in the Rayburn Building?

Mr. GEORGE W. ANDREWS. There is money, but it is not being used.

Mr. GROSS. I wonder if we can depend that it will not be used.

Mr. GEORGE W. ANDREWS. Let us hope so.

Mr. GROSS. I agree with the gentleman.

Mr. GEORGE W. ANDREWS. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. LANGEN].

Mr. LANGEN. Mr. Speaker, I thank my colleague for yielding. I shall not use the 5 minutes.

I believe the chairman has adequately, explicitly, and plainly set before the House the items which were in conference and the manner in which they were settled. The conference committee proceeded with diligence and without great difficulty. I believe it has arrived at a conference solution which serves the best interests of this legislative body and the Congress as a whole.

I highly recommend the conference report to the House.

Mr. GEORGE W. ANDREWS. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Speaker, I wish to express my appreciation to the distinguished gentleman from Alabama, the chairman of the Subcommittee on Appropriations for the Legislative Branch [Mr. GEORGE W. ANDREWS], and to the distinguished chairman of the Full Committee on Appropriations, the gentleman from Texas [Mr. MAHON], and to the other conferees on the part of the House for the decision which they have taken in this bill with regard to the controversial west front extension of the Capitol.

As I am sure Members are aware, I have opposed this extension rather vigorously since the decision of the Commission on the Extension of the Capitol was announced in June.

I urged the conferees only yesterday, when the conferees were selected, to accept a Senate amendment to this bill which would have deferred all action on a west front extension until a study of the cost of repairing the west front instead of extending it could be made.

I wish to say I believe the compromise agreement which the gentleman from Alabama has outlined, and as incorporated in the conference report, is certainly a very acceptable substitute to the Senate amendment. It does delay this matter for a full year. In addition, it insures that when an extension of the west front does come before the House it will come up in the normal course as a part of the legislative appropriation bill rather than in the closing hours of the session in a supplemental bill.

I would certainly feel that this is a major victory for those who have opposed the extension and who have said that anything as important as a drastic architectural change made in the original portion of the great United States Capitol—certainly the number one historical shrine in our country and the number one tourist attraction in Washington, D.C.—should be made only after full debate and consideration by all Members of the House and of the Senate. Other Members may not agree with my view, but at least we ought to have an opportunity to discuss the subject fully before we act.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I am happy to yield to the distinguished gentleman from New York.

Mr. REID of New York. I thank the gentleman for yielding.

I, too, regret that the Senate language—to prohibit the use of any appropriation "for administrative or any other expenses" in connection with plans for the extension of the west front of the Capitol—has been dropped in this conference report. However, it is a matter of encouragement that it is explicit in this bill "that no part of any appropriation contained in this act" can be used "in connection with the plans referred to as schemes 1, 2, or 3 of the west central front of the Capitol."

I hope, along with the gentleman from New York, that it will be possible during this delay for a bill to be passed establishing a Commission to thoroughly look into the needs for restoration of the west front, and that we will bring in the best architects—including representatives of the American Institute of Architects—and other experts in the United States so to do.

Last month I introduced legislation which would establish a Commission on Architecture and Planning for the Capitol within the National Foundation on the Arts and the Humanities.

The Commission's approval would be necessary for any "construction, alteration, or repair of any public building on, or landscaping of, real property comprising the U.S. Capitol grounds," thus insuring that the architecture of the Capitol will be treated consistent with its historical heritage and artistic tradition. In addition, my bill would require that construction projects on the Capitol Grounds "meet a standard which exemplifies and reflects excellence in architecture and land use, good taste and judgment, and which demonstrates a proper regard for the historic and symbolic importance of our National Capitol."

Mr. STRATTON. I certainly agree with the gentleman. I have joined in introducing that legislation. I was fearful, however, that if this matter was going to be decided in the supplemental appropriations bill we would not have an opportunity to consider the legislation he has referred to. The agreement that has now been made certainly makes it possible for us to discuss that legislation and possibly to pass it. It also makes it

possible for us to try to find out what the sentiment is back home on this issue.

Many national magazines have been concerned with the possible alteration of the west front. Perhaps by next year we will have a little better indication of what the people at home think and whether they agree with some of us that we ought not to change this historic building just to put on additional restaurants and briefing rooms and offices we do not really need, since there is already plenty of space in the Rayburn Building and in the remodeled Cannon and Longworth Buildings.

Mr. REID of New York. I think the gentleman will agree that in a very real sense the people of New York and Westchester County desire to restore the west front and not destroy or change it.

Mr. GEORGE W. ANDREWS. Mr. Speaker, I yield 4 minutes to the chairman of our committee, the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, in view of some of the things which have been said, I should state that the conferees did not agree that funds for the improvement of the west front of the Capitol Building would come before the House for consideration through the regular legislative appropriation bill. The chairman of the subcommittee, the gentleman from Alabama [Mr. GEORGE W. ANDREWS], stated that these funds can be considered at a later time—at a more propitious time, I believe he stated. But I am sure Mr. ANDREWS would say, and certainly I will say, that funds for the improvement of the west central front of the Capitol should be considered in great depth, after lengthy and exhaustive debate, and that the House should, of course, work its will on this matter.

Nothing precipitous should be done. Certainly, it is not the intent of the Committee on Appropriations in this session of Congress to give any consideration whatsoever to any further funds for the extension of the west front. Nobody, insofar as I know, has made a request of the Committee on Appropriations for funds in this or any other bill in this session of Congress for the extension of the west front.

Now, it has been stated by the gentleman from New York that we ought to consider the wishes of the people back home in respect to what we do about the west front of this building. I agree. But, in my opinion, Mr. Speaker, the people who elect us to office, while they are aware that we do not possess all wisdom on all subjects, would be willing to leave to us in the House of Representatives a decision as to whether or not the west front should be repaired and in what manner. I believe they feel we would be better advised in these matters and would trust each Member's judgment for a decision of this type.

Now, as to the proposition that the action of the conferees in striking the prohibitory language of the Senate somehow represents a great victory for the opponents of the extension of the west front, I would say such a statement is clearly wide of the mark. Why do I say that? Because there was no issue as to providing funds in this bill for the extension of the west front at this time.

I happen to believe that a great majority of the Members of Congress would favor an improvement and probably an extension of the west front. We can make that determination later. This Capitol is supposed to be the place where the national legislative business of the people is done. If by expanding the facilities of this great Capitol and strengthening it we can make it a better place to do the job that the people sent us here to do, that would seem to me to be what we would probably ultimately do when the times are more propitious than they are now.

So, Mr. Speaker, I for one certainly do not consider the fact that there is no money in the bill for the west front as a victory for the opponents of the west front improvement. Nor do I consider the conference action as a repudiation or a slap in the face toward the Speaker of the House of Representatives and the special commission of which he and others are members.

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

Mr. MAHON. I will be glad to yield to the gentleman.

Mr. STRATTON. I certainly do not want to debate the question as to whether it is or is not a victory. As far as I am concerned, my position is not intended to be any slap in the face of the Speaker, for whom I have great respect. I have simply felt that this is a matter that should be debated fully by the Members of the House and those of us who felt differently ought to have a chance to be heard. I would like to say from that point of view the conference committee has come up with an agreement which makes it possible, as the gentleman says, for this matter to be considered and debated in depth. And to that extent it is a finality for those who wanted some consideration.

Mr. MAHON. Mr. Speaker, I would say further that there was no sentiment—that I know of—on the part of any member of the Committee on Appropriations to deny the House an opportunity to consider fully this entire matter. No one about whom I know had contemplated trying to slip in the back door, so to speak, and put in funds to do a job of which the Members of the House are not in favor.

Mr. STRATTON. Mr. Speaker, if the gentleman will yield further, it was my understanding that the hearings before the Legislative Subcommittee in the other body had elicited testimony from Mr. Stewart that there was not going to be any request from the Legislative Subcommittee, but that there would be a request before the supplemental committee for the supplemental bill, and it was that testimony that led the other body to put in the restricting amendment, which the conferees eliminated, but which it replaced with this bill to which the gentleman from Texas refers.

Mr. Speaker, that testimony does concern me, and may I——

Mr. MAHON. I would like to say that while this is not a matter that would be considered this session in the closing supplemental, the mere fact that an appropriation is considered in a supplemental bill does not mean that it is not given the same consideration that it would be given in any other appropriation bill.

Mr. STRATTON. Except that by the time it comes to the floor of the House for consideration many Members are already campaigning for reelection. I recall once when we were called back by the leadership at 4 o'clock in the morning in order to pass the supplemental bill, on the 13th of October 1962, I believe it was. Therefore it does not give us the kind of depth of discussion to which the gentleman referred, but I want to thank the gentleman from Texas for his assurance, if I understood the gentleman correctly, that there will not be any request in the supplemental bill this year.

Mr. MAHON. The gentleman from New York indicates that the House of Representatives, this great legislative body about which we have heard considerable today, would not give as thorough consideration in the closing hours as in the opening hours to any important appropriation legislation. Of course, if the gentleman feels that such consideration is not given at the end of the session, I assume, then, that the Members would shout any extension proposition down, thus achieving the gentleman's objective.

But, Mr. Speaker, I harbor no doubt that the Committee on Appropriations, and indeed the House of Representatives acts responsibly throughout the session, and I do not want to see the body of which I am a Member act irresponsibly at any time during the session.

Mr. GEORGE W. ANDREWS. Mr. Speaker, we have no further requests for time.

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

The previous question was ordered.

The conference report was agreed to.

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

Mr. GEORGE W. ANDREWS. Mr. Speaker, in view of the fact that many of the amendments reported in technical disagreement relate solely to housekeeping operations of the Senate—which by long and well-founded practice we concur in without debate—and in order to save time, I ask unanimous consent that amendments Nos. 1 through 12, inclusive; 14 through 26 inclusive; 28 through 33 inclusive; and 42 and 43, be considered en bloc.

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

There was no objection.

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

Mr. GEORGE W. ANDREWS. Mr. Speaker, I ask unanimous consent that the reading of these amendments be dispensed with, and that they be printed in the RECORD.

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

There was no objection.

The Clerk read the amendments, as follows:

Senate amendment No. 1: Page 2, line 1, insert the following:

"SENATE

Senate amendment No. 2: Page 2, line 2, insert the following:

"COMPENSATION OF THE VICE PRESIDENT AND SENATORS, MILEAGE OF THE PRESIDENT OF THE SENATE AND SENATORS, AND EXPENSE ALLOWANCES OF THE VICE PRESIDENT AND LEADERS OF THE SENATE"

Senate amendment No. 3: Page 2, line 6, insert the following:

"COMPENSATION OF THE VICE PRESIDENT AND SENATORS

"For compensation of the Vice President and Senators of the United States, $3,296,735."

Senate amendment No. 4: Page 2, line 10, insert the following:

"MILEAGE OF PRESIDENT OF THE SENATE AND OF SENATORS

"For mileage of the President of the Senate and of Senators, $58,370."

Senate amendment No. 5: Page 2, line 14, insert the following:

"EXPENSE ALLOWANCES OF THE VICE PRESIDENT, AND MAJORITY AND MINORITY LEADERS

"For expense allowance of the Vice President, $10,000; Majority Leader of the Senate, $3,000; and Minority Leader of the Senate, $3,000; in all, $1,000."

Senate amendment No. 6: Page 2, line 10, insert the following:

"SALARIES, OFFICERS, AND EMPLOYEES

"For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions and longevity compensation as authorized, which shall be paid from this appropriation without regard to the below limitations, as follows:".

Senate amendment No. 7: Page 3, line 1, insert the following:

"OFFICE OF THE VICE PRESIDENT

"For clerical assistance to the Vice President, at rates of compensation to be fixed by him in basic multiples of $5 per month, $203,515."

Senate amendment No. 8: Page 3, line 5, insert the following:

"CHAPLAIN

"Chaplain of the Senate, $15,540."

Senate amendment No. 9: Page 3, line 7, insert the following:

"OFFICE OF THE SECRETARY

"For office of the Secretary, $1,369,630, including $150,220 required for the purposes specified and authorized by section 74b of Title 2, United States Code: *Provided*, That the reporters of debates in the office of the Secretary are hereby designated the official reporters of debates of the Senate."

Senate amendment No. 10: Page 3, line 14, insert the following:

"COMMITTEE EMPLOYEES

"For professional and clerical assistance to standing committees and the Select Committee on Small Business, $3,367,430."

Senate amendment No. 11: Page 3, line 18, insert the following:

"CONFERENCE COMMITTEES

"For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, $99,435.

For clerical assistance to the Conference of the Minority, at rates of compensation to be fixed by the chairman of said committee, $99,435."

Senate amendment No. 12: Page 4, line 1, insert the following:

"ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

"For administrative and clerical assistants and messenger service for Senators, $17,171,215."

Senate amendment No. 14: Page 4, line 19, insert the following:

"OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

"For the offices of the Secretary for the Majority and the Secretary for the Minority, $166,675."

Senate amendment No. 15: Page 4, line 23, insert the following:

"OFFICES OF THE MAJORITY AND MINORITY WHIPS

"For four clerical assistants, two for the Majority Whip and two for the Minority Whip, at rates of compensation to be fixed in basic multiples of $60 per annum by the respective Whips, $18,460 each; in all, $36,920."

Senate amendment No. 16: Page 5, line 3, insert the following:

"OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

"For salaries and expenses of the Office of the Legislative Counsel of the Senate, $317,895."

Senate amendment No. 17: Page 5, line 7, insert the following.:

"CONTINGENT EXPENSES OF THE SENATE"

Senate amendment No. 18: Page 5, line 8, insert the following:

"SENATE POLICY COMMITTEES

"For salaries and expenses of the Majority Policy Committee and the Minority Policy Committee, $204,150 for each such committee; in all, $408,300."

Senate amendment No. 19: Page 5, line 12, insert the following:

"AUTOMOBILES AND MAINTENANCE

"For purchase, exchange, driving, maintenance, and operation of four automobiles, one for the Vice President, one for the President Pro Tempore, one for the Majority Leader, and one for the Minority Leader, $43,660."

Senate amendment No. 20: Page 5, line 17, insert the following:

"FURNITURE

"For service and materials in cleaning and and repairing furniture, and for the purchase of furniture, $31,190: *Provided*, That the furniture purchased is not available from other agencies of the Government."

Senate amendment No. 21: Page 5, line 22, insert the following:

"INQUIRIES AND INVESTIGATIONS

"For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, including $396,615 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, $5,420,000."

Senate amendment No. 22: Page 6, line 5, insert the following:

"FOLDING DOCUMENTS

"For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding $2.32 per hour per person, $40,715."

Senate amendment No. 23: Page 6, line 9, insert the following:

"MAIL TRANSPORTATION

"For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $16,560."

Senate amendment No. 24: Page 6, line 13, insert the following:

"MISCELLANEOUS ITEMS

"For miscellaneous items, exclusive of labor, $3,743,160, including $275,000 for payment to the Architect of the Capitol in accordance with section 4 of Public Law 87-82, approved July 6, 1961."

Senate amendment No. 25: Page 6, line 18, insert the following:

"POSTAGE STAMPS

"For postage stamps for the offices of the Secretaries for the Majority and Minority, $140; and for air-mail and special delivery stamps for office of the Secretary, $160; office of the Sergeant at Arms, $125; Senators and the President of the Senate, as authorized by law, $90,400; in all, $90,825."

Senate amendment No. 26: Page 7, line 1, insert the following:

"STATIONERY (REVOLVING FUND)

"For stationery for Senators and the President of the Senate, $249,600: *Provided*, That effective with the fiscal year 1967 and thereafter the allowance for stationery for each Senator from States having a population of ten million or more inhabitants shall be at the rate of $3,000 per annum; and for stationery for committees and officers of the Senate, $13,200; in all, $262,800, to remain available until expended".

Senate amendment No. 28: Page 8, line 6, insert:

"COMMUNICATIONS

"For an amount for communications which may be expended interchangeably for payment, in accordance with such limitations and restrictions as may be prescribed by the Committee on Rules and Administration, of charges on official telegrams and long-distance telephone calls made by or on behalf of Senators or the President of the Senate, such telephone calls to be in addition to those authorized by the provisions of the Legislative Branch Appropriation Act, 1947 (60 Stat. 392; 2 U.S.C. 46c, 46d, 46e), as amended, and the First Deficiency Appropriation Act, 1949 (63 Stat. 77; 2 U.S.C. 46d-1), $15,150."

Senate amendment No. 29: Page 8, line 18, insert:

"ADMINISTRATIVE PROVISIONS

Senate amendment No. 30: Page 8, line 19, insert:

"Effective July 1, 1966, the paragraph relating to official long-distance telephone calls to and from Washington, District of Columbia, under the heading 'Contingent Expenses of the Senate' in Public Law 479, Seventy-ninth Congress, as amended (2 U.S.C. 46c), is amended to read as follows:

" 'There shall be paid from the contingent fund of the Senate, in accordance with rules and regulations prescribed by the Committee on Rules and Administration of the Senate, toll charges on not to exceed three thousand strictly official long-distance telephone calls to and from Washington, District of Columbia, aggregating not more than fifteen thousand minutes each fiscal year for each Senator and the Vice President of the United States: *Provided*, That not more than fifteen hundred calls aggregating not more than seventy-five hundred minutes made in the first six months of each fiscal year shall be paid for under this sentence. The toll charges on an additional fifteen hundred such calls aggregating not more than seventy-five hundred minutes each fiscal year for each Senator from any State having a population of ten million or more inhabitants shall also be paid from the contingent fund of the Senate: *Provided*, That not more than seven hundred and fifty calls aggregating not more than three thousand seven hundred and fifty minutes made

in the first six months of each fiscal year shall be paid for under this sentence.'"

Senate amendment No. 31: Page 9, line 21, insert:

"Effective the first day of the first month following date of enactment the table contained in section 4(f) of the Federal Employees' Salary Increase Act of 1955 (Public Law 94, Eighty-fourth Congress, approved June 28, 1955), as amended, is amended to read as follows:

"States having a population of—	*Amount of increase*
Less than 3,000,000	$12,780
3,000,000 but less than 4,000,000	17,760
4,000,000 but less than 5,000,000	20,760
5,000,000 but less than 7,000,000	23,760
7,000,000 but less than 9,000,000	26,760
9,000,000 but less than 10,000,000	29,760
9,000,000 but less than 10,000,000	25,740
10,000,000 but less than 11,000,000	34,740
11,000,000 but less than 12,000,000	37,740
12,000,000 but less than 13,000,000	40,740
13,000,000 but less than 15,000,000	43,740
15,000,000 but less than 17,000,000	46,740
17,000,000 or more	49,740"

Senate amendment No. 32: Page 10, line 4, insert:

"Effective the first day of the first month following date of enactment the paragraph relating to rates of compensation of employees of committees of the Senate, contained in the Legislative Branch Appropriation Act, 1956, as amended (2 U.S.C. 72a–1a), is amended by striking out so much of the second sentence thereof as follows the words 'First Supplemental Appropriation Act, 1947,' and inserting in lieu thereof the following: 'the basic compensation of any employee of a standing or select committee of the Senate (including the majority and minority policy committees and the majority conference of the Senate and minority conference of the Senate but excluding the Committee on Appropriations), or a joint committee of the two Houses the expenses of which are paid from the contingent fund of the Senate whose basic compensation may be fixed under such provisions at a rate of $8,000 per annum, may be fixed at a rate not in excess of $8,040 per annum, except that the basic compensation of one such employee may be fixed at a rate not in excess of $8,880 per annum, and the basic compensation of two such employees may be fixed at a rate not in excess of $8,460 per annum. The basic compensation of any employee of the Committee on Appropriations whose basic compensation may be fixed at a rate of $8,000 per annum under such provisions may be fixed at a rate not in excess of $8,040 per annum, except that the basic compensation of one such employee may be fixed at a rate not in excess of $8,880 per annum, and the basic compensation of seventeen such employees may be fixed at a rate not in excess of $8,460 per annum.'"

Senate amendment No. 33: Page 11, line 17, insert: "The third paragraph under the heading 'Administrative Provisions' in the appropriation for the Senate in the Legislative Branch Appropriation Act, 1959, as amended (2 U.S.C. 43b), is amended by inserting after the words 'six round trips' the following: '(or the equivalent thereof in one-way trips)'."

Senate amendment No. 42: Page 27, line 12, insert:

"SENATE OFFICE BUILDINGS

"For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel, and for personal and other services; including eight attendants at $1,800 each; for the care and operation of the Senate Office Buildings; including the subway and subway transportation systems connecting the Senate Office Buildings with the Capitol; uniforms or allowances therefor as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); to be expended under the control and supervision of the Architect of the Capitol; in all, $2,530,000."

Senate amendment No. 43: Page 28, line 1, insert:

"SENATE GARAGE

"For maintenance, repairs, alterations, personal and other services, and all other necessary expenses, $57,900."

Mr. GEORGE W. ANDREWS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. GEORGE W. ANDREWS moves that the House recede from its disagreement to the amendments of the Senate numbered 1 through 12, inclusive; 14 through 26, inclusive; 28 through 38, inclusive; and 42 and 43, and concur therein.

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 13: Page 4, line 5, insert:

"OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

"For office of Sergeant at Arms and Doorkeeper, $3,364,025: *Provided*, That effective on the first day of the first month following date of enactment, the basic per annum compensation of one offset press operator, Service Department shall be $2,700 in lieu of $2,340, that the Sergeant at Arms may employ a telecommunications adviser at $5,520 basic per annum, an additional Sergeant, Capitol Police force at $2,940 basic per annum, an additional Lieutenant, Capitol Police force at $3,600 basic per annum, and twenty-five additional Privates, Capitol Police force at $2,160 basic per annum each: *Provided further*, That appointees to the Capitol Police force positions authorized herein shall have the equivalent of at least one year's police experience."

Mr. GEORGE W. ANDREWS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. GEORGE W. ANDREWS moves that the House recede from its disagreement to the amendment of the Senate numbered 13 and concur therein with an amendment, as follows: In lieu of the amount of "$2,940" named in said amendment, insert "$2,880"; and in lieu of the amount of "$3,600" named in said amendment, insert "$3,480".

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 35: Page 21, line 15, strike out "$50,000" and insert "$62,500".

Mr. GEORGE W. ANDREWS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. GEORGE W. ANDREWS moves that the House recede from its disagreement to the amendment of the Senate numbered 35 and concur therein with an amendment, as follows: In lieu of the sum proposed, insert: "$95,500".

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 46: Page 31, line 5, insert: ", together with $478,000 to be derived by transfer from the appropriations made for the Office of Education, Department of Health, Education, and Welfare."

Mr. GEORGE W. ANDREWS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. GEORGE W. ANDREWS moves that the House recede from its disagreement to the amendment of the Senate numbered 46 and concur therein.

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 53: Page 34, line 23, insert: "Funds available to the Library of Congress may be expended to reimburse the Department of State for medical services rendered to employees of the Library of Congress stationed abroad; and for purchase or hire of passenger motor vehicles. Further, payments shall be authorized of allowances and other benefits to employees stationed abroad to the same extent as authorized from time to time for members of the Foreign Service of the United States of comparable grade, subject to such rules and regulations as may be issued by the Librarian of Congress."

Mr. GEORGE W. ANDREWS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. GEORGE W. ANDREWS moves that the House recede from its disagreement to the amendment of the Senate numbered 53 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"Funds available to the Library of Congress may be expended to reimburse the Department of State for medical services rendered to employees of the Library of Congress stationed abroad; for purchase or hire of passenger motor vehicles; and for payment of travel, storage and transportation of household goods, and transportation and per diem expenses for families en route (not to exceed twenty-four), subject to such rules and regulations as may be issued by the Librarian of Congress."

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 54: Page 38, line 8, insert:

"SEC. 105. Effective on the first day of the first month following date of enactment, the basic per annum compensation of the captain, Capitol Police force shall be $4,320; the basic per annum compensation of lieutenants and special officers, Capitol Police force shall be $3,600 each; and the basic per annum compensation of sergeants, Capitol Police force shall be $2,940 each."

Mr. GEORGE W. ANDREWS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. GEORGE W. ANDREWS moves that the House recede from its disagreement to the amendment of the Senate numbered 54 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"SEC. 105. Effective on the first day of the first month following date of enactment, the

basic per annum compensation of the captain, Capitol Police force shall be $4,260; the basic per annum compensation of lieutenants and special officers, Capitol Police force shall be $3,480 each; and the basic per annum compensation of sergeants, Capitol Police force shall be $2,880 each. Effective on the first day of the first month following enactment of H.R. 15857, Eighty-ninth Congress, or similar legislation, amending the District of Columbia Police and Fireman's Salary Act of 1958, the basic per annum compensation of the captain, Capitol Police force shall be $4,320; the basic per annum compensation of lieutenants and special officers, Capitol Police force shall be $3,600 each; and the basic per annum compensation of sergeants, Capitol Police force shall be $2,940 each."

The motion was agreed to.

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

Mr. GEORGE W. ANDREWS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain tables at the conclusion of the debate.

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

There was no objection.

HANDLING OF DOGS AND CATS FOR RESEARCH PURPOSES

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (H.R. 13881) to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1848)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13881) to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That in order to protect the owners of dogs and cats from theft of such pets, to prevent the sale or use of dogs and cats which have been stolen, and to insure that certain animals intended for use in research facilities are provided humane care and treatment, it is essential to regulate the transportation, purchase, sale, housing, care, handling, and treatment of such animals by persons or organizations engaged in using them for research or experimental purposes or in transporting, buying, or selling them for such use.

"SEC. 2. When used in this Act—

"(a) The term 'person' includes any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity;

"(b) The term 'Secretary' means the Secretary of Agriculture;

"(c) The term 'commerce' means commerce between any State, territory, possession, or the District of Columbia, or the Commonwealth of Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, or the Commonwealth of Puerto Rico, but through any place outside thereof; or within any territory, possession, or the District of Columbia;

"(d) The term 'dog' means any live dog (Canis familiaris);

"(e) The term 'cat' means any live cat (Felis catus);

"(f) The term 'research facility' means any school, institution, organization, or person that uses or intends to use dogs or cats in research, tests, or experiments, and that (1) purchases or transports dogs or cats in commerce, or (2) receives funds under a grant, award, loan, or contract from a department, agency, or instrumentality of the United States for the purpose of carrying out research, tests, or experiments;

"(g) The term 'dealer' means any person who for compensation or profit delivers for transportation, or transports, except as a common carrier, buys, or sells dogs or cats in commerce for research purposes;

"(h) The term 'animal' means live dogs, cats, monkeys (nonhuman primate mammals), guinea pigs, hamsters, and rabbits.

"SEC. 3. The Secretary shall issue licenses to dealers upon application therefor in such form and manner as he may prescribe and upon payment of such fee established pursuant to section 23 of this Act: *Provided*, That no such license shall be issued until the dealer shall have demonstrated that his facilities comply with the standards promulgated by the Secretary pursuant to section 13 of this Act: *Provided, however*, That any person who derives less than a substantial portion of his income (as determined by the Secretary) from the breeding and raising of dogs or cats on his own premises and sells any such dog or cat to a dealer or research facility shall not be required to obtain a license as a dealer under this Act. The Secretary is further authorized to license, as dealers, persons who do not qualify as dealers within the meaning of this Act upon such persons' complying with the requirements specified above and agreeing, in writing, to comply with all the requirements of this Act and the regulations promulgated by the Secretary hereunder.

"SEC. 4. No dealer shall sell or offer to sell or transport or offer for transportation to any research facility any dog or cat, or buy, sell, offer to buy or sell, transport or offer for transportation in commerce to or from another dealer under this Act any dog or cat, unless and until such dealer shall have obtained a license from the Secretary and such license shall not have been suspended or revoked.

"SEC. 5. No dealer shall sell or otherwise dispose of any dog or cat within a period of five business days after the acquisition of such animal or within such other period as may be specified by the Secretary.

"SEC. 6. Every research facility shall register with the Secretary in accordance with such rules and regulations as he may prescribe.

"SEC. 7. It shall be unlawful for any research facility to purchase any dog or cat from any person except a person holding a valid license as a dealer issued by the Secretary pursuant to this Act unless such person is exempted from obtaining such license under section 3 of this Act.

"SEC. 8. No department, agency, or instrumentality of the United States which uses animals for research or experimentation shall purchase or otherwise acquire any dog or cat for such purposes from any person except a person holding a valid license as a dealer issued by the Secretary pursuant to this Act unless such person is exempted from obtaining such license under section 3 of this Act.

"SEC. 9. When construing or enforcing the provisions of this Act, the act, omission, or failure of any individual acting for or employed by a research facility or a dealer, or a person licensed as a dealer pursuant to the second sentence of section 3, within the scope of his employment or office, shall be deemed the act, omission, or failure of such research facility, dealer, or other person as well as of such individual.

"SEC. 10. Research facilities and dealers shall make, and retain for such reasonable period of time as the Secretary may prescribe, such records with respect to the purchase, sale, transportation, identification, and previous ownership of dogs and cats but not monkeys, guinea pigs, hamsters, or rabbits as the Secretary may prescribe, upon forms supplied by the Secretary. Such records shall be made available at all reasonable times for inspection by the Secretary, by any Federal officer or employee designated by the Secretary.

"SEC. 11. All dogs and cats delivered for transportation, transported, purchased, or sold in commerce by any dealer shall be marked or identified at such time and in such humane manner as the Secretary may prescribe.

"SEC. 12. The Secretary is authorized to promulgate humane standards and recordkeeping requirements governing the purchase, handling, or sale of dogs or cats by dealers or research facilities at auction sales.

"SEC. 13. The Secretary shall establish and promulgate standards to govern the humane handling, care, treatment, and transportation of animals by dealers and research facilities. Such standards shall include minimum requirements with respect to the housing, feeding, watering, sanitation, ventilation, shelter from extremes of weather and temperature, separation by species, and adequate veterinary care. The foregoing shall not be construed as authorizing the Secretary to prescribe standards for the handling, care, or treatment of animals during actual research or experimentation by a research facility as determined by such research facility.

"SEC. 14. Any department, agency, or instrumentality of the United States having laboratory animal facilities shall comply with the standards promulgated by the Secretary for a research facility under section 13.

"SEC. 15. (a) The Secretary shall consult and cooperate with other Federal departments, agencies, or instrumentalities concerned with the welfare of animals used for research or experimentation when establishing standards pursuant to section 13 and in carrying out the purposes of this Act.

"(b) The Secretary is authorized to cooperate with the officials of the various States or political subdivisions thereof in effectuating the purposes of this Act and of any State, local, or municipal legislation or ordinance on the same subject.

"SEC. 16. The Secretary shall make such investigations or inspections as he deems necessary to determine whether any dealer or research facility has violated or is violating any provision of this Act or any regulation issued thereunder. The Secretary shall promulgate such rules and regulations as he deems necessary to permit inspectors to confiscate or destroy in a humane manner any

animals found to be suffering as a result of a failure to comply with any provision of this Act or any regulation issued thereunder if (1) such animals are held by a dealer, or (2) such animals are held by a research facility and are no longer required by such research facility to carry out the research, test, or experiment for which such animals have been utilized.

"SEC. 17. The Secretary shall issue rules and regulations requiring licensed dealers and research facilities to permit inspection of their animals and records at reasonable hours upon request by legally constituted law enforcement agencies in search of lost animals.

"SEC. 18. Nothing in this Act shall be construed as authorizing the Secretary to promulgate rules, regulations, or orders for the handling, care, treatment, or inspection of animals during actual research or experimentation by a research facility as determined by such research facility.

"SEC. 19. (a) If the Secretary has reason to believe that any person licensed as a dealer has violated or is violating any provision of this Act or any of the rules or regulations promulgated by the Secretary hereunder, the Secretary may suspend such person's license temporarily, but not to exceed twenty-one days, and, after notice and opportunity for hearing, may suspend for such additional period as he may specify or revoke such license, if such violation is determined to have occurred and may make an order that such person shall cease and desist from continuing such violation.

"(b) Any dealer aggrieved by a final order of the Secretary issued pursuant to subsection (a) of this section may, within sixty days after entry of such an order, seek review of such order in the manner provided in section 10 of the Administrative Procedure Act (5 U.S.C. 1009).

"(c) Any dealer who violates any provision of this Act shall, on conviction thereof, be subject to imprisonment for not more than one year or a fine of not more than $1,000, or both.

"SEC. 20. (a) If the Secretary has reason to believe that any research facility has violated or is violating any provision of this Act or any of the rules or regulations promulgated by the Secretary hereunder and if, after notice and opportunity for hearing, he finds a violation, he may make an order that such research facility shall cease and desist from continuing such violation. Such cease and desist order shall become effective fifteen days after issuance of the order. Any research facility which knowingly fails to obey a cease-and-desist order made by the Secretary under this section shall be subject to a civil penalty of $500 for each offense, and each day during which such failure continues shall be deemed a separate offense.

"(b) Any research facility aggrieved by a final order of the Secretary issued pursuant to subsection (a) of this section may, within sixty days after entry of such order, seek review of such order in the district court for the district in which such research facility is located in the manner provided in section 10 of the Administrative Procedure Act (5 U.S.C. 1009).

"SEC. 21. The Secretary is authorized to promulgate such rules, regulations, and orders as he may deem necessary in order to effectuate the purposes of this Act.

"SEC. 22. If any provision of this Act or the application of any such provision to any person or circumstances shall be held invalid, the remainder of this Act and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

"SEC. 23. The Secretary shall charge, assess, and cause to be collected reasonable fees for licenses issued. Such fees shall be adjusted on an equitable basis taking into consideration the type and nature of the operations to be licensed and shall be deposited and covered into the Treasury as miscellaneous receipts. There are hereby authorized to be appropriated such funds as Congress may from time to time provide.

"SEC. 24. The regulations referred to in section 10 and section 13 shall be prescribed by the Secretary as soon as reasonable but not later than six months from the date of enactment of this Act. Additions and amendments thereto may be prescribed from time to time as may be necessary or advisable. Compliance by dealers with the provisions of this Act and such regulations shall commence ninety days after the promulgation of such regulations. Compliance by research facilities with the provisions of this Act and such regulations shall commence six months after the promulgation of such regulations, except that the Secretary may grant extensions of time to research facilities which do not comply with the standards prescribed by the Secretary pursuant to section 13 of this Act provided that the Secretary determines that there is evidence that the research facilities will meet such standards within a reasonable time."

Amend the title so as to read: "An Act to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and certain other animals intended to be used for purposes of research or experimentation, and for other purposes."

And the Senate agree to the same.

HAROLD D. COOLEY,
W. R. POAGE,
GRAHAM PURCELL,
JOSEPH RESNICK,
ALBERT QUIE,
CATHERINE MAY,
BOB DOLE,
Managers on the Part of the House.
WARREN MAGNUSON,
A. S. MIKE MONRONEY
MAURINE NEUBERGER,
DANIEL BREWSTER,
NORRIS COTTON,
HUGH SCOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses to the amendment of the Senate to the bill (H.R. 13881) to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

The amendment of the Senate struck out all after the enacting clause of the House bill and substituted language which generally followed the structure of the House bill but was different in numerous substantial respects.

We have diligently tried to bring back to the House an effective bill which will codify the noblest and most compassionate concern that the human heart holds for those small animals whose very existence is dedicated to the advancement of medical skill and knowledge while at the same time still preserving for the medical and research professions an unfettered opportunity to carry forward their vital work in behalf of all mankind.

The House bill and the Senate amendment were similar in objective yet different in detail. The conferees have attempted to select the best and most practicable provisions of each version and have combined and modified them in an effort to produce workable and meaningful legislation.

The conferees are aware of course that this bill, which was originated and developed by this Congress, creates a new responsibility for the Department of Agriculture.

In anticipation of future questions and problems about the new program, the conferees herewith submit an explanation and interpretation of this legislation which is designed to foresee some of these questions and problems. Yet the conferees recognize that no one possesses completely accurate forward vision and in that spirit we will continue to seek the advice and counsel of all those who share an interest in this program. This includes not only the medical and research professions, the various animal welfare groups, and the Department of Agriculture, but also the many thousands of Americans throughout the nation whose conscience and concern have led to the enactment of this legislation.

BRIEF SUMMARY

The Conference substitute contains the following major provisions:

(1) The Secretary of Agriculture would issue licenses to dealers who bought or sold dogs or cats in commerce. These license fees would be set at a reasonable amount and the cost would be adjusted on an equitable basis with the Secretary considering the type and nature of the dealer operation to be licensed.

(2) Research facilities, as defined by the bill, would be required to register with the Secretary of Agriculture, but would not be required to be licensed.

(3) Dealers and research facilities would keep and retain for reasonable periods records of their purchase, sale, transportation, identification, and previous ownership of dogs and cats only. Although monkeys, guinea pigs, hamsters, and rabbits would be included under humane standards provisions obligatory to both dealers and research facilities, records would not be required to be kept on these animals.

(4) The Secretary would specify the time and humane method of identification of dogs and cats.

(5) The Secretary would establish standards to govern the humane handling, care, treatment, and transportation of animals (as defined in this legislation) by both dealers and research facilities. These standards would include minimum requirements with respect to the housing, feeding, watering, sanitation, ventilation, shelter from extremes of weather and temperature, separation by species, and adequate veterinary care. However, these standards would not be construed to apply to research facilities during actual research or experimentation as determined by the research facility itself.

(6) Departments, agencies, and instrumentalities of the United States which have laboratory animal facilities would be required to comply with the provisions of this legislation.

(7) The Secretary would consult and cooperate with other Federal departments, agencies, or instrumentalities concerned with animal welfare in research or experimentation when establishing humane standards for the handling of such animals by dealers and research facilities.

(8) The Secretary would make necessary investigations to see that dealers and research facilities are not violating any provisions of this legislation or any regulations established thereunder. The Secretary would establish necessary regulations to permit inspectors to confiscate or destroy in a humane manner any animal found to be suffering as a result of a violation of this legislation or any regulations established thereunder if animals are held by a dealer, or if animals are held by a research facility and are no longer required to carry out the research, test, or experiment for which they were utilized.

(9) The Secretary would issue rules and regulations requiring dealers and research facilities to permit inspection of their animals and records at reasonable hours upon request by legally constituted law enforcement agencies in search of lost animals. However, these regulations would not be construed to authorize any interference with research or experimentation by a research facility.

(10) As a general rule, research facilities would be required to purchase dogs or cats only from persons holding valid licenses as dealers. The same general rule would apply to departments, agencies, and instrumentalities of the United States. However, research facilities and U.S. Government facilities could obtain dogs and cats from certain exempted sources, such as, for example, municipal pounds and farmers.

(11) Whenever the Secretary has reason to believe that any person licensed as a dealer has violated or is violating any provision of this legislation or any regulation established thereunder he may: (1) suspend that person's license for up to 21 days, (2) after notice and opportunity for hearing he may suspend it for an additional period or revoke it if a violation is determined to have occurred, and (3) he may issue a cease and desist order to prevent a continuing of the violation. Any dealer who is convicted for a violation of any provision of this legislation would be subject to imprisonment for not more than one year or a fine of not more than $1,000, or both.

(12) If the Secretary has reason to believe that any research facility has violated or is violating any provision of this legislation or any regulations established thereunder and if, after notice and opportunity for hearing, he finds a violation (1) he may issue a cease and desist order, and (2) if the research facility knowingly fails to obey this cease and desist order, it shall be subject to a civil penalty of $500 for each offense, and each day such failure continues shall be deemed a separate offense.

(13) Any dealer or research facility aggrieved by a final order of the Secretary may within 60 days after entry of such order seek review in the manner provided in section 10 of the Administrative Procedure Act.

ARRANGEMENT OF SUBJECT MATTER

The conference substitute rearranges the order of most of the sections as they originally appeared in the House bill and the Senate amendment in order to establish an orderly and uniform coverage of the subject matter in conference. The 24 sections of the bill and the subject matter covered by each section are as follows:

Section 1. Statement of policy.

Section 2. Definitions.

Section 3. Licensing of dealers.

Section 4. Valid license for dealers required.

Section 5. Time period for disposal of dogs or cats by dealers.

Section 6. Registration for research facilities.

Section 7. Prohibition against research facilities purchasing dogs or cats except from dealers or exempted persons.

Section 8. Prohibition against U.S. Government facilities acquiring dogs or cats except from dealers or exempted persons.

Section 9. Principal-agent relationship established for dealers and research facilities.

Section 10. Recordkeeping by dealers and research facilities.

Section 11. Marking and identification of dogs and cats.

Section 12. Humane standards and recordkeeping for dogs and cats at auction sales.

Section 13. Humane standards for animals by dealers and research facilities.

Section 14. Humane standards for animals by U.S. Government facilities.

Section 15. Consultation and cooperation with Federal, State, and local governmental bodies by Secretary of Agriculture.

Section 16. Investigations or inspections by Secretary of Agriculture.

Section 17. Inspection by legally constituted law enforcement officers.

Section 18. Exemption applicable to animals during actual research or experimentation.

Section 19. Dealer penalties and enforcement.

Section 20. Research facility penalties and enforcement.

Section 21. Regulations.

Section 22. Constitutional invalidity clause.

Section 23. Fees and appropriations.

Section 24. Effective date.

SECTION BY SECTION ANALYSIS

Section 1. This section sets forth the objectives of the bill which are (a) to protect owners of dogs and cats from the theft of such pets; (b) to regulate the transportation, purchase, sale, handling, and treatment of dogs, cats, and certain other animals destined for use in research or experimentation; and (c) to regulate the handling, care, and treatment of dogs, cats, and certain other animals in research facilities. Section 1 is identical to section 1 of the Senate amendment and is comparable to section 1 of the House bill.

Section 2. This section contains definitions of eight terms used in the bill.

(a) The term "person" is limited to various private forms of business organizations. It is, however, intended to include nonprofit or charitable institutions which handle dogs and cats. It is not intended to include public agencies or political subdivisions of State or municipal governments or their duly authorized agents. It is the intent of the conferees that local or municipal dog pounds or animal shelters shall not be required to obtain a license since these public agencies are not a "person" within the meaning of section 2(a). Accordingly, research facilities would not (under section 3) be prohibited from purchasing or acquiring dogs and cats from city dog pounds or similar institutions or their duly authorized agents because these institutions are not "persons" within the meaning of section 2 (a). Section 2(a) is identical to section 2 (a) of the House bill which is broader in scope than the comparable provision in section 2(a) of the Senate amendment.

(b) The term "Secretary" means the Secretary of Agriculture. This provision was identical in both section 2(b) of the House bill and section 2(b) of the Senate amendment.

(c) The term "commerce" is defined as interstate commerce (1) between the several States, territories, possessions, the District of Columbia, or the Commonwealth of Puerto Rico, or (2) between points within the same State, territory, possession, the District of Columbia, or the Commonwealth of Puerto Rico, but through any point outside of there, or (3) within any territory or possession or the District of Columbia. Section 2(c) is identical to section 2(c) of the Senate amendment which was substantially the same as section 2(c) of the House bill.

(d) The term "cat" is limited to a live cat of the species Felis catus. Section 2(d) is identical to section 2(e) of the Senate amendment.

(e) The term "dog" is limited to a live dog of the species Canis familiaris. Section 2(e) is identical to section 2(d) of the Senate amendment. The conference substitute includes the Senate definitions of "dog" and "cat" which are broader than the House bill which was confined to dogs or cats used or intended for use in research or experimentation.

(f) The term "research facility" means any school, institution, organization, or person (as defined in section 2(a)) that uses or intends to use dogs or cats for research or experimental purposes *and* that (1) purchases or transports dogs or cats in commerce (as defined in section 2(c)), or (2) receives any funds from a U.S. Government department, agency, or instrumentality for the purposes of carrying out research, tests, or experiments.

By adopting the definition of research facility in section 2(f), the conferees' intention is to limit the coverage of this legislation to major research facilities and exclude the thousands of hospitals, clinics, and schools which don't use dogs or cats for research and tests. However, if an institution meets the definition of "research facility," it is subject to regulations in regard to all animals defined in section 2(h). This section 2(f) is identical to section 2(f) of the Senate amendment. A similar provision is included in section 2(f) of the House bill.

(g) The term "dealer" means any person (as defined in section 2(a)) who for profit or compensation delivers for transportation, transports (except as a common carrier), buys or sells dogs or cats in commerce (as defined in section 2(c)) for research purposes.

The definition of dealer is not intended to exclude from licensing or regulation those nonprofit or charitable institutions or animal shelters which supply animals in commerce to research facilities for compensation of their out-of-pocket expenses.

Except for the specific exemption provided in section 3, the term "dealer" would apply to any individual or other person who raises dogs or cats for sale in commerce to any dealer or research facility. Section 2(g) is similar to section 2(g) of the House bill and differs substantially from section 2(g) of the Senate amendment.

(h) The term "animal" is limited to live dogs and cats (defined in sections 2 (d) and (e)), monkeys (nonhuman primate mammals), guinea pigs, hamsters, and rabbits. Section 2(h) is similar to section 2(h) of the Senate amendment. The Latin names for the latter three animals were deleted to avoid confusion. There is no comparable provision in the House bill.

Section 3. This section sets forth the requirements and procedures for issuing licenses to dealers. A separate provision is included in the last sentence to allow persons who do not, for one reason or another, qualify as dealers (as defined in section 2(g)) to obtain a license. This allows persons who would otherwise be prohibited from selling to dealers or research facilities to obtain a license voluntarily and thus continue to provide dogs and cats for research and experimental use.

In addition, a person who derives less than a substantial portion of his income from the breeding and raising of dogs or cats on his own premises would be exempt from being licensed as a dealer under this legislation. This provision was adopted by the conference to allow farmers and other owners of relatively small numbers of dogs or cats to continue to sell their own animals to dealers or research facilities without obtaining a license. Conversely, research facilities and dealers would not be prohibited from purchasing dogs or cats from persons exempted under this section. The term "substantial portion of his income" as used in this provision is subject to the determination of the Secretary. The conferees do not contemplate the licensing of farmers or pet owners who sell only an occasional litter of puppies or kittens or only a few dogs or cats to a dealer or to a research facility. The specific requirement that these exempted persons breed dogs or cats on their own premises is intended to prevent their selling to dealers for research purposes animals which were stolen or otherwise obtained for

that purpose. Section 3 is similar to section 6 of the House bill. Comparable provisions were not included in the Senate amendment.

Section 4. This section prohibits dealers from conducting any dog or cat business with research facilities or with other dealers without holding a valid license. Section 4 is identical to section 4 of the House bill and is comparable to section 4 of the Senate amendment.

Section 5. This section prohibits dealers from selling or otherwise disposing of any dog or cat within 5 business days after the acquisition of such animals or within such other period as the Secretary may specify in regulations issued pursuant to this legislation. The purpose of the waiting period is to give owners, law enforcement officers, and the Secretary a greater opportunity to trace lost or stolen dogs and cats. It is the intent of the conferees that section 5 be construed with section 21 of the conference substitute as granting the Secretary authority to deal with the problem of dogs and cats in transit. The conferees do not intend the holding period established hereunder to include the time during which the dogs and cats are in transit. Section 5 is identical to section 10 of the House bill. The comparable provision of the Senate amendment is section 14.

Section 6. This section requires research facilities (as defined in section 2(f)) to register with the Secretary of Agriculture. Research facilities will not be licensed under this legislation. Section 6 is identical to section 6 of the Senate amendment. There is no comparable House provision.

Section 7. This section provides that as a general rule, research facilities are prohibited from buying cats and dogs from persons who do not hold valid licenses as dealers. However, an exception to this rule has been made by the conferees in section 3 of the conference substitute.

Section 3 of the House bill would have prohibited research facilities from purchasing dogs or cats from any person, except a person holding a valid license as a dealer. Section 3 of the Senate amendment would have prohibited a research facility from purchasing dogs or cats from dealers unless the dealer held a valid license.

In conformance with section 2(a) of the conference substitute, the conferees have rewritten this section 7 in order to require research facilities to purchase dogs and cats only from (1) persons who held valid licenses as dealers or (2) persons exempted under section 3 of the conference substitute or (3) sources that do not come within the definition of "persons" set forth in section 2(a).

The conferees contemplate, therefore, that research facilities which rely on farm sources, municipal dog and cat pounds, and the duly authorized agents of such local governments for their dogs and cats will continue to be able to obtain such animals from these sources.

Section 8. This section extends to departments, agencies, and instrumentalities of the Federal Government a similar prohibition on dog or cat acquisitions as applies to research facilities under section 7. Section 8 as modified is similar to section 5 of the Senate amendment. There is no comparable House provision.

Section 9. This section establishes the principal-agent relationship between dealers, research facilities and their employees. Except for an internal section reference, section 9 is identical to section 13 of the House bill and is substantially the same as section 21 of the Senate amendment.

Section 10. This section requires recordkeeping by dealers and research facilities with regard to the purchase, sale, transportation, identification, and previous ownership of dogs and cats. The Secretary is directed to provide the proper forms for this recordkeeping and these records are to be made available to the Secretary for inspection by him or any Federal officer or employee which the Secretary may designate. The conferees do not contemplate the designation of private citizens or non-Federal Government employees in the administration of this legislation. The conference substitute also makes it clear that records need not be maintained on monkeys, guinea pigs, hamsters, or rabbits. Except for the specific provisions in regard to the monkeys, guinea pigs, hamsters, or rabbits, section 10 is identical to section 10 of the Senate amendment. Section 8 of the House bill contains a similar provision.

Section 11. This section requires all cats and dogs covered by this bill to be marked or identified in a humane manner. The methods, type, and time of marking or identification are to be prescribed by the Secretary. The purpose of such marking and identification is intended as a means of tracing lost or stolen pets. Except for the inclusion of the words "at such time and," section 11 is identical to section 9 of the Senate amendment. The comparable House provision is section 7 of the House bill.

Section 12. This section authorizes the Secretary to establish and enforce recordkeeping requirements and humane standards for the purchase, sale, or handling (which includes treatment, housing, and care of dogs or cats) by dealers or research facilities at auction sales. This section is not intended to prohibit auction sales. On the contrary, the conferees feel that auction sales should be continued and that these public sales present an opportunity for the Secretary to effectively meet the objectives of this legislation as set forth in section 1. Section 12 is a modification of section 16 of the Senate amendment. There is no comparable provision in the House bill.

Section 13. This section requires that the Secretary establish standards to govern the humane handling, care, treatment, and transportation of animals (as defined in section 2(h)) by dealers and research facilities. Standards for the eight categories listed in this section are mandatory, and the Secretary is not given additional discretionary authority as was proposed in the Senate amendment.

The intent of the conferees is clearly set forth in the last sentence of this section which states that the Secretary is *not* authorized to prescribe standards for the handling, care, or treatment of animals during actual research or experimentation by a research facility. It is the intention of the conferees that the Secretary neither directly nor indirectly in any manner interfere with or harass research facilities during the conduct of actual research and experimentation. The important determination of when an animal is in actual research so as to be exempt from regulations under the bill is left to the research facility itself. Research or experimentation is also intended to include use of animals as teaching aids in educational institutions. Except as indicated above, section 13 is identical to section 7 of the Senate amendment. Section 5 of the House bill authorized the Secretary to set humane standards for the handling of dogs and cats by dealers. It also contained a similar prohibition against any interference with research and experimentation.

Section 14. This section requires Federal departments, agencies, or instrumentalities having laboratory facilities to meet the same standards for the humane handling, care, and treatment of animals (as defined in section 2(h)) as are required of research facilities under section 13 of the conference substitute. Section 14 is identical to section 8 of the Senate amendment. No comparable provision is included in the House bill.

Section 15(a). This section directs the Secretary to consult with other Federal departments, agencies, or instrumentalities concerned with the welfare of animals used for research or experimentation when establishing standards of care and treatment. The conferees recognize that other Federal departments have already developed experience in laboratory animal care and this experience should be made available to the Secretary. In addition, continued cooperation with other departments and agencies is directed.

(b) This section authorizes the Secretary to cooperate with State and local officials in preventing the theft of dogs and cats, in the apprehension of suspected dog and cat thieves, and in carrying out the other provisions of this legislation.

Except for an internal section reference, section 15(a) is identical with section 13(a) of the Senate amendment. Section 15(b) is identical to section 9 of the House bill.

Section 16. This section directs the Secretary to make such investigations or inspections as he deems necessary to effectuate the purpose of the bill and insure compliance with the bill or any regulation issued thereunder. The conferees contemplate that these inspectors will be employees of the U.S. Department of Agriculture. The second sentence is intended to permit the Secretary to insure that animals suffering because of inhumane treatment are not left unattended. It is the intent of the conferees that inspectors not be permitted to interfere with the carrying out of actual research or experimentation as determined by a research facility. Section 16 is essentially the same as section 12 of the Senate amendment except for changing the word "person" to "dealer or research facility" for clarification. No comparable provision is included in the House bill.

Section 17. This section directs the Secretary to establish rules and regulations which would require licensed dealers and research facilities to permit inspection of their animals and records by legally constituted law enforcement agencies. The purpose of this section is to expedite the search for stolen pets. It is the intent of the conferees that inspection under this section be specifically limited to searches for lost and stolen pets by officers of the law (not owners themselves) and that legally constituted law enforcement agencies means agencies with general law enforcement authority and not those agencies whose law enforcement duties are limited to enforcing local animal regulations. It is *not* intended that this section be used by private citizens or law enforcement officers to harass research facilities. Such officers cannot inspect the animals when the animals are undergoing actual research or experimentation. This is almost identical with section 15 of the Senate amendment. Similar provision dealing with the inspection of records was included in section 8 of the House bill.

Section 18. This section provides that nothing in the legislation is to be construed as authorizing the Secretary to regulate the handling, care, treatment, or inspection of animals which are undergoing actual research or experimentation. The determination of when research begins and ends is to be made by the research facility. It is the intent of the conferees that section 18 be construed to apply throughout this legislation, and particularly with regard to section 17. This section is the same as section 17(a) of the Senate amendment. A comparable provision was included in section 5 of the House bill which prohibited the establishment of humane standards at any time subsequent to the arrival of dogs or cats at a research facility.

Section 19. This section deals with penalties which are applicable to dealers. Whenever the Secretary has reason to believe that

any person licensed as a dealer has violated or is violating any provision of this legislation or any regulation established thereunder, he may (1) suspend that person's license for up to 21 days, (2) after notice and opportunity for hearing and a finding that a violation has occurred, suspend the license for an additional period or revoke it, and (3) issue a cease and desist order to prevent continuing the violation.

Any dealer who is convicted of a violation of any provision of this legislation would be subject to imprisonment for not more than one year or a fine of not more than $1,000, or both.

Any dealer aggrieved by a final order of the Secretary may, within 60 days after entry of such order, seek review in the manner provided in section 10 of the Administrative Procedure Act.

This section is a combination of sections 12, 14, and 15 of the House bill and sections 18 and 19 of the Senate amendment.

Section 20. This section deals with penalties which are applicable to research facilities. Whenever the Secretary has reason to believe that any research facility has violated or is violating any provision of this legislation or any regulation established thereunder and if, after notice and opportunity for hearing, he finds a violation (1) he may issue a cease and desist order; (2) if the research facility knowingly fails to obey this cease and desist order, it shall be subject to a civil penalty of $500 for each offense, and each day such failure continues shall be deemed a separate offense.

Any research facility aggrieved by a final order of the Secretary may, within 60 days after entry of such order, seek review in the manner provided in section 10 of the Administrative Procedure Act.

This section is a combination of the House bill and the Senate amendment. It appeared in sections 12, 14, and 15 of the House bill and sections 19 and 20 of the Senate amendment.

Section 21. This section authorizes the Secretary to promulgate such rules, regulations, orders, and other administrative details as may be necessary to effectuate the purposes of this legislation. As earlier noted, this section is intended to be construed with section 5. This section is identical to section 11 of the House bill and appeared in section 17(b) of the Senate amendment.

Section 22. This section carries a constitutional invalidity clause which states that if any part of this legislation, or individual circumstances concerning it, are held invalid, the remainder remains effective. This section is identical to both section 16 of the House bill and section 22 of the Senate amendment.

Section 23. This section directs the Secretary to charge, assess, and collect reasonable fees for licenses issued to dealers and research facilities. These fees should be adjusted equitably, taking into consideration the type and nature of the operation to be licensed and shall be deposited and covered into the Treasury as miscellaneous receipts. Any additional funds which might be needed to administer this legislation are authorized to be appropriated by the Congress from time to time. This section is a modified version of section 17 of the House bill and section 23 of the Senate amendment.

Section 24. This section specifies that the Secretary shall promulgate the regulations referred to in sections 10 and 13 as soon as reasonable but not later than 6 months from the date of enactment of this legislation. Compliance by dealers with this legislation is required 90 days following promulgation of regulations by the Secretary. Compliance by research facilities is required 6 months after promulgation of regulations by the Secretary. However, in the case of research facilities, the Secretary may grant individual extensions of time to certain research facilities if he is convinced that these research facilities will be able to meet the regulations within a reasonable time. The purpose for this extension of time for compliance by research facilities is to enable those research facilities whose compliance depends upon obtaining additional funds for construction or personnel to secure such funds. Except for internal references, this section is identical to that of section 24 of the Senate amendment. A comparable provision was included in the House bill as section 18.

HAROLD D. COOLEY,
W. R. POAGE,
GRAHAM PURCELL,
JOSEPH Y. RESNICK,
ALBERT H. QUIE,
CATHERINE MAY,
BOB DOLE,
Managers on the Part of the House.

Mr. POAGE (interrupting the reading). Mr. Speaker, I ask unanimous consent that the statement be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and it is so ordered.

Mr. ROGERS of Florida. 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 Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I support H.R. 13881 because it is absolutely essential that we have strong Federal legislation to clean up the unacceptable conditions found in the supply trade of animals going to laboratories. Widespread pet theft must be stopped and the facilities and procedures of animal dealers must meet standards of common decency.

Our Nation has a moral obligation to eliminate animal suffering wherever it is possible to do so without impeding legitimate research. The great stake and the great responsibility the Federal Government has in biomedical research is met only tentatively by the laboratory provisions of H.R. 13881.

I should like to state briefly for the record the reasons supporting this position.

First. Of the 11,000 laboratories in the United States, approximately 2,000 will be covered by H.R. 13881.

Second. Of the hundreds of millions of animals consumed by the laboratories, the bill will, at most, bring its limited benefits to 5 million.

Third. But even these limited benefits of housing and care stop when research starts, and once that determination is made, protection for the animal ceases under the terms of this legislation.

Any effective laboratory animal bill the Congress enacts must set up guidelines for research as well as for sale, housing, and care in order to provide coverage for all animals sensitive to pain.

A comprehensive bill must require proper care of research animals consistent with the needs of the experiment, and must provide for postoperative care and the administration of pain-relieving drugs. Care and housing are as important for the animal during long-term drug, nutrition, or behavior studies during research as during the initial portion of its stay in the laboratory before research begins.

Mr. Speaker, I heartily endorse the animal dealer provisions of H.R. 13881, but want to emphasize that it does not solve the basic problem of humane treatment for laboratory animals.

It is my hope and earnest desire that the Congress will deal with the problems raised by the use of animals in research at an early date by enactment of legislation before the Interstate and Foreign Commerce Committee, which provides humane conditions and procedures for such research animals.

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

The previous question was ordered.

The conference report was agreed to.

Mrs. MAY. 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 gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Speaker, H.R. 13881 is a comprehensive piece of legislation as it authorizes the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats to be used for purposes of research or experimentation. There are, however, several particularly meaningful aspects of the legislation to which I would like to make reference.

While monkeys, guinea pigs, hamsters, and rabbits are covered under the humane standards of the legislation, records would be required only for cats and dogs. This would have the effect of dispensing with heavy paperwork loads that had no practical purpose, and it would confine recordkeeping to selective research animals.

The identification of dogs and cats will be a valuable facility in keeping track of these animals as they are transported and handled for research purposes. This identification system will set up records that can prove very valuable in catching up with dognapers and catnapers. The legislation also prevents dealers from disposing of cats or dogs within 5 days after they acquire these animals, or such other period of time as the Secretary of Agriculture may prescribe. This waiting period would afford time in which to trace lost or stolen dogs and cats.

H.R. 13881 would set up sanitation standards in the handling of research animals, with minimum requirements for housing, feeding, watering, sanitation, ventilation, and so forth. As a practical consideration, however, these standards would not be applied to animals that were in the process of actual research or experimentation as determined by the research facility itself.

In order to protect against overlapping of standards and services, the Secretary of Agriculture would consult and cooperate with other Federal departments and agencies that were concerned with animal welfare. Federal departments

and agencies also would be required to abide by the same rules and regulations on the acquisition of dogs and cats as applies to research facilities in general.

Although research facilities in general would be required to obtain animals for research from licensed dealers, they would be able to purchase these animals from farmers, who would be exempted from a license requirement. Also exempted from the license requirement—and available to research facilities as a source for research animals—would be pounds and animal shelters that either were municipal in nature or were acting, via contract, as duly authorized agents of the municipality or locality.

The preservation of these sources of animal supply is particularly significant in my Fourth Congressional District of Washington. This will assure an adequate supply of animals for the various universities in Washington State where we have no animal dealers.

I feel highly privileged to have served on the conference that produced this legislation in an effort, as the conference report states, "to produce workable and meaningful legislation."

URBAN MASS TRANSPORTATION ACT OF 1966

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, and in the absence of the gentleman from Missouri [Mr. BOLLING], I call up House Resolution 948 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 948

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. 14810) to amend the Urban Mass Transportation Act of 1964 to authorize additional amounts for assistance thereunder, to authorize grants for certain technical studies, and to provide for an expedited program of research, development, and demonstration of new urban transportation systems. 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 Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield one-half hour to the able gentleman from California [Mr. SMITH], and to myself such time as I may consume.

Mr. Speaker, House Resolution 948 provides an open rule with 1 hour of general debate for consideration of H.R. 14810, a bill to amend the Urban Mass Transportation Act of 1964 to authorize additional amounts for assistance thereunder, to authorize grants for certain technical studies, and to provide for an expedited program of research, development, and demonstration of new urban transportation systems.

H.R. 14810 continues and provides additional funds for the urban mass transit program which was first established in the act of 1964. Under that program, Federal loans and partial grants are provided to assist local governments in financing the capital facilities and equipment needed for the extension and improvement of comprehensively planned urban mass transportation systems.

The bill authorizes appropriations of up to $175 million a year for fiscal 1968 and subsequent fiscal years to finance urban mass transportation grants. The 1964 act authorizes appropriations for fiscal 1965, 1966, and 1967, but none thereafter.

The bill also continues the authority for demonstration grant projects for 2 years at the present annual rate.

The bill requires the Secretary of Housing and Urban Development, in consultation with the Secretary of Commerce, to undertake a study to prepare a program of research, development, and demonstration to develop new systems of rapid urban transportation and authorizes the appropriation of such funds as may be necessary for the preparation of this study.

The legislation also provides two-thirds grants for the planning, engineering, and designing of urban mass transportation projects.

Mr. Speaker, I urge the adoption of House Resolution 948 in order that H.R. 14810 may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the gentleman from Florida, House Resolution 948 does provide for the consideration of the Urban Mass Transportation Act of 1966, H.R. 14810, 1 hour, open rule.

I listened very carefully to the distinguished gentleman from Florida. I believe he explained the bill precisely as I understand it. I would like to concur in his remarks and save time by not repeating any of his statements.

I would like to add, however, that the gentleman from New York [Mr. FINO], has submitted some individual views. He seeks to amend the act to remove the current 12.5-percent limitation on grants to any one State from the total authorization, and to replace it with a preference for high population density areas. There are no minority views other than his statement in the report.

Mr. Speaker, I would like to refer back to the 21-day rule for a few minutes, if I can. I had intended to comment on this yesterday, when we had the FNMA bill here, but time did not permit, in accordance with a pending Rules Committee meeting.

Mr. Speaker, the use of the 21-day rule continues to be more perplexing, so far as I am concerned, and I want to make a few comments at this time for record purposes as to the use of this rule in the future.

You will recall that on July 25, 1966, the 21-day rule was used in connection with H.R. 14765, the Civil Rights Act of 1966. There was considerable discussion at that time over the fact that the 21-day rule was filed at the same time a request for hearing was made to the Rules Committee. And that, in fact, the final report on the bill was not submitted until some time subsequent thereto.

Now, yesterday, in connection with H.R. 15639, the increase in FNMA borrowing authority, it appeared to me that there was certainly room for question as to the purpose of the 21-day rule.

That bill was received in the Rules Committee on June 24, shortly prior to the July recess. I personally was desirous of having hearings before the Rules Committee on that bill, and I think the other members of the Rules Committee were also interested in hearings. In any event, on July 25 it was scheduled for hearing on the next day, July 26. Late in the afternoon of July 25, the chairman of the Banking and Currency Committee—namely, the gentleman from Texas [Mr. PATMAN]—advised the Rules Committee that he did not desire a hearing on the bill until the following week, at the earliest, and that he would not appear on July 26. The Rules Committee honored his position and removed the bill from its agenda.

On July 28, just 2 days later, Mr. PATMAN introduced a resolution under the 21-day rule provision.

The following day, on July 29, Mr. PATMAN appeared before the Rules Committee to request a rule on H.R. 14810, the Urban Mass Transportation Act of 1966 which we are considering at this time. During the course of the hearings he was asked whether or not he wanted a hearing on H.R. 15639, the bill to increase in FNMA borrowing authority, and he stated that he did and hoped we would grant a rule. He was joined in this request by the gentleman from New Jersey, the ranking Republican member on the Banking and Currency Committee [Mr. WIDNALL].

When inquiry was made as to why a 21-day rule had been filed on July 28, the reply was that he desired to expedite the bill.

The same day in executive session, July 29, the Rules Committee granted a rule on the bill before us today and H.R. 15639, FNMA—the latter without holding hearings. So, even though the Rules Committee was desirous of holding hearings in an effort to expedite the FNMA bill and set the same for hearing, we find that a request was made to remove it from the calendar, a 21-day rule was filed 2 days later and after granting the rule, we find the measure called up yesterday on the suspension calendar.

Now let me refer to H.R. 15890, the Housing and Urban Development Act. A request was made on July 18 to the Rules Committee for hearing. On July 28, part 3 of the committee report was filed. This consists of approximately 40 pages to comply with the Ramseyer rule. The same day—namely, July 28—a resolution was filed under the 21-day rule, even though the bill was not ready

for hearing until the same day. The Rules Committee tries to follow a policy of permitting the members to have at least 1 day to read the bill and report before having a hearing.

Now let us take H.R. 14026, the interest rate bill. A hearing was requested on July 29. On the previous day, July 28, a resolution was filed under the 21-day rule.

Although I did not vote for the 21-day rule change, it is my understanding of the debate at that time that the purpose of the rule was to permit the leadership to schedule a bill when the Rules Committee adversely reports, or fails to report, on a pending matter within 21 days. I am at a loss to understand how the Rules Committee could adversely report or fail to report a bill within 21 days when a resolution was filed on July 28, the day before a request was actually made for hearing.

Mr. Speaker, I think the time will eventually come when the House will be faced with attempting to clarify the purpose of the 21-day rule, and I wanted to make these comments for record purposes because, as I mentioned before, it does not seem to me that this is the proper way to use this provision.

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

Mr. SMITH of California. I am happy to yield to the gentleman from Texas.

Mr. PATMAN. I thank the gentleman from California for yielding.

In regard to H.R. 14026, the Speaker of the House announced at a press conference at noon that he expects to recognize the chairman of the Committee on Banking and Currency and call up that resolution next Monday.

In connection with the 21-day rule, the gentleman's remarks raise a number of questions. I should like to have them resolved for the benefit of all. I should like to have the gentleman's judgment on how long a chairman of a committee should wait before filing a 21-day rule?

Of course, one or two of these rules were filed under conditions I would not care to discuss now because it would take too long. The filing of these 21-day rules were perfectly within the rules.

Anything the rules of the House provide a Member can do, I feel the Member is at liberty to do. As long as the rules of the House say a Member can do anything, I believe the Member is privileged to do it.

When the committee of which I am chairman votes out a bill, invariably a motion is made along this line: "Mr. Chairman, I move that the committee report this bill favorably with instructions to the chairman to take such action as may be necessary to expedite consideration and passage of the bill on the floor of the House."

That is practically the language of the motion made every time.

What is the chairman to do? Should he merely make application to the Rules Committee, and perhaps not even get a reply, which is generally more traditional than nontraditional.

I realize that the Committee on Rules is quite a busy committee, but I do not often receive a reply when I make a request for a rule. Should the chairman of a committee just in silence wait and not file a 21-day rule, which he has a right to do under the rules of the House, or should he wait 2 weeks or 3 weeks or 4 weeks, or what should he do? If the gentleman will give me the benefit of his knowledge and information as to the duty and responsibility in a case like that, I will appreciate it very much.

Mr. SMITH of California. I will say to the gentleman, whatever the distinguished gentleman does, of course, is within his own prerogatives and decision. My only purpose here is to set forth in the RECORD that I am a little confused and I am a little perplexed as to what the purpose of the 21-day rule is, particularly when a resolution is filed 1 day before the day when we receive a request for hearings. I am not arguing with or criticizing the gentleman, but I simply wanted to put the record straight on the history of some of the bills on how the 21-day rule has been used, so that as time goes on, if we are going to use it on everything, then maybe that is what we will end up with, but I do want the RECORD to show it.

Mr. PATMAN. If the gentleman will yield further, obviously the rule was passed because the House of Representatives believed that the Committee on Rules should not hold up these applications unnecessarily. A majority of the Members of the House voted that they would have a right to get consideration of a bill that was reported out favorably by a standing committee at the end of the 21 days. That was giving an additional protection to the committee to make sure their work would not be overlooked.

Mr. SMITH of California. May I ask the gentleman this: Let us go back to the FNMA bill. I do not wish to get into a personal argument, because we can argue those things outside, but I just want to say here that we set it up for a hearing on a Tuesday, and you asked us to take it off and then 2 days later you filed for a 21-day rule.

Mr. PATMAN. I have to admit that was a little mistake.

Mr. SMITH of California. It is a little confusing.

Mr. PATMAN. You see, we had two or three applications for rules pending, and the information came to us that we were not getting hearings on those, so we decided to file them at one time. I think under the circumstances we were justified in doing it, but if it were to be gone over in the light of what did happen, looking back, of course, we would not have filed a 21-day rule on one of these bills.

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

Mr. SMITH of California. I will be happy to yield to the gentleman.

Mr. MULTER. I thank the gentleman for yielding. I think while we are making this history you might give us some explanation of the fact as to what happened on H.R. 12904. That bill was reported by the Committee on Banking and Currency. The report was filed and the same day the report was filed a letter went to the chairman of the Committee on Rules asking for a hearing and a rule. More than 30 days went by, if I recall correctly, and no action was taken. A 21-day rule was then filed, and still no action has been taken, and 30 days have gone by since then.

Mr. SMITH of California. I have no comments or criticism to make on that. I am only commenting on those that have gone through that I know about. The decision on setting hearings, of course, rests with the chairman of the committee. I am not the chairman and have nothing to do with that. I simply wanted to give my comments on these matters and I say that I am a little bit confused and perplexed on them. Maybe someday we will have to clear it up. On the bill you mentioned I have no comments or criticisms to make. You asked us for a hearing, you say, and I assume you did, and that decision is not up to me.

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

Mr. SMITH of California. I yield to the gentleman.

Mr. GROSS. I am surprised to hear of the breakdown of communications at the Capitol. I did not know the telephone service was quite so bad that there could not have been communication between the chairman of the legislative committee and the chairman of the Committee on Rules. I have never found the telephone service to be such that I could not reach the office of the chairman of a committee or any other Member for that matter.

Mr. PEPPER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMEND URBAN MASS TRANSPORTATION ACT OF 1964

Mr. PATMAN. 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. 14810) to amend the Urban Mass Transportation Act of 1964 to authorize additional amounts for assistance thereunder, to authorize grants for certain technical studies, and to provide for an expedited program of research, development, and demonstration of new urban transportation system.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14810) to amend the Urban Mass Transportation Act of 1964 to authorize additional amounts for assistance thereunder, to authorize grants for certain technical studies, and to provide for an expedited program of research, development, and demonstration of new urban transportation systems, with Mr. Moss 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. PATMAN] will be recognized for 30 minutes, and the gentleman from New Jersey [Mr. WIDNALL] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, by an overwhelming bipartisan vote of 29 to 1 the Committee on Banking and Currency favorably reported H.R. 14810, the Urban Mass Transportation Act of 1966. The committee has worked hard on this legislation and, in my judgment, this is an excellent bill.

Basically, H.R. 14810 will continue and expand the urban mass transportation programs begun under the Urban Mass Transportation Act of 1964. In that bill, Congress, for the first time, provided for Federal grants to State and local bodies to help in purchasing capital facilities necessary for urban mass transportation. The program was authorized to be funded for 3 years for a total of $375 million—$75 million for fiscal 1965, and $150 million for each of the 2 fiscal years 1966 and 1967.

The program has more than proved its value. The Subcommittee on Housing heard testimony from many witnesses this year expressing strong approval and support for the program. The importance of the program to not only our urban areas but all areas of the country is also reflected in the margin of approval in the committee itself.

The most fundamental fact which developed before the committee in its hearings on H.R. 14810 is that the problems besetting the urban areas of this country in the mass transportation field are, if anything, more acute now than when the 1964 act was passed. We recognized in 1964 that financially our urban mass transportation industry was fighting a losing battle. Much has been done under the 1964 act to alleviate this situation, but much more remains to be done. Many urban mass transportation companies and systems, both public and private, have been given a new lease on life; but many more are in serious difficulty and facing bankruptcy. We feel very strongly that this program must continue.

Your committee is convinced that the demand for funds under this program will increase during the next few years. The Nation's biggest cities will need to make sizable investments in urban mass transportation facilities simply to preserve the mobility we have left. And it has never been the intention of the Congress or of those who administer the program that the large cities should squeeze the small ones out of this program. The needs of all our cities must be taken into account. Your Committee in this bill recommends an increase in the funding of the program to $175 million a year on a permanent basis. The research and demonstration program would be continued at the present $10-million-a-year level during fiscal years 1968 and 1969.

The proposed additions to the programs should make Federal urban transportation activities even more effective. The provision in H.R. 14810 which provides for grants to assist in the engineering and design of transit facilities will fill a great need. It will insure that local transportation planning and construction follows a coherent course designed to create a system meeting the needs of the community. Federal help during the design phase can be invaluable in achieving the maximum benefit for the State, local, and Federal funds spent on planning and construction.

The need for additional research is equally crucial. We cannot know the best solutions to urban transportation problems until we have examined the nature of these problems in detail, and have explored all of the solutions made possible by modern technology. H.R. 14810 will direct the Secretary to prepare a complete program of research which will examine all possible new systems of urban transportation in a systematic way. The program will take account of all of the aspects of the urban transportation problem, and attempt to apply our best scientific and social techniques to finding solutions. The research amendment was offered by our able colleague, the gentleman from Wisconsin, HENRY REUSS.

In short, Mr. Chairman, the committee has devoted considerable time and attention to this bill and the actual experience of the urban mass transportation program under the 1964 act. We find that it is a most popular program, with strong support among State and municipal officials, the transit industry in general, organized labor and, most important of all, the public who use the facilities and equipment which the program helps to furnish. It is of particular benefit to the elderly, the youth of this country, to the poor, and to the handicapped. Above all, it is an absolute necessity if the cities of our Nation—both large and small—are not to be strangled by the traffic congestion and parking problems. Cities are growing so rapidly in population that the need for economical, speedy, and convenient urban mass transportation for our people is even more urgent now than when the 1964 act was adopted. We urge the passage of H.R. 14810.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the gentleman from Texas has informed you of the contents of the bill now before us.

One section of the bill, section 2, was originally sponsored by me in my bill, H.R. 13732. Section 3 of the bill follows suggestions made by other members of the committee and me and was agreed upon unanimously in the subcommittee.

Section 4 was sponsored by the gentleman from Wisconsin [Mr. REUSS] and others of our colleagues on the Housing Subcommittee.

Section 5 was sponsored by the gentleman from Georgia [Mr. WELTNER].

In taking testimony on this bill, the gentlewoman from New Jersey [Mrs. DWYER] was particularly helpful in eliciting the facts. It was made clear by the experts who testified before us that this was the kind of bill that they wanted and that they thought would be most helpful. They also wanted it made clear that they wanted it considered apart from other legislation. In presenting it to you in the form that we have, we are following their advice and their counsel.

The measure calls for a modest increase in the amount of mass transit funds available—$25 million—bringing the annual total authorized to $175 million, something considerably less than transportation is costing us to and from Vietnam today.

It also asks that the program be placed on a continuing basis.

I would like to urge favorable consideration of this measure, as it is very important if we are going to adequately plan for the future in an absolute area of necessity, for we are finding a choking of the traffic to and from the cities.

Transportation is a vital service. We do not pay as much attention to it as we should. Deprived of mass transit, however, with our communities tossed on the individual resources and personal means of transportation of its members, we rapidly find what that means to us. No one who has lived through a shutdown of service will deny that we must have it to continue the commerce, the very economic life of our communities.

That is why I personally originally proposed that the measure be made a permanent and continuing operation, at the pleasure of Congress, of course. We must give assurance to those communities undertaking expensive, long-term commitment for new or improved transit systems, that they have the backing of the Federal Government in their endeavors.

To do otherwise, is to face the steadily increasing fact of diminishing trackage and transportation routes throughout the country, to know that more and more of our smaller communities are becoming isolated. We must not neglect a resource that will vanish without our consideration and care.

This operation, of course, is not going to be a cheap operation, and the Members must realize that this is becoming more and more expensive because of a lack of care in this particular area over so many years. Had we begun this program 10 years ago, we and the country would be in much better shape transportationwise than we are today. Inflation has robbed us of many of the trains, the buses, and the facilities that could be serving us today.

Mass transit is a program that can go into any part of the country. The bulk of the grants will go to the smaller communities, the more expensive ones to the larger cities just now, and belatedly, beginning to hear the demanding voice of their citizenry for better transportation.

This is a job-producing measure. Given continuity, it will enable the indus-

try upon which it is dependent for facilities reason to tool up and anticipate our transportation needs for a generation. We will get better trains, buses, and allied facilities and at a better price than if we attempt to do this piecemeal and some years from now.

The original legislation concerned with this matter has just opened the door to the possibilities of the future. We have still to realize our goals. I ask the Congress to pass favorably upon this proposal in order that those goals may be reached, that our transportation be made swift, efficient, and comfortable for this generation and the ones to come.

The subcommittee passed this measure unanimously, and I believe the full committee voted 29 to 1 in favor of its passage. I urge passage of the bill.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

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

Mr. DON H. CLAUSEN. I wonder if the gentleman could advise me whether or not the committee has gotten involved in a long-range financing program that will be on a parallel with the highly successful Interstate Highway System? Quite often we hear comments and suggestions to the effect that we should be tapping the Interstate Highway System trust fund to assist in planning a so-called balanced transportation system. I wonder if the committee has gotten into that subject in depth, would the gentleman respond to my question?

Mr. WIDNALL. We have not at the present time gone that far, but I certainly think that such an inquiry should be undertaken within the committee. We urgently have to do a better job than we have done in the past. There must be full recognition of the fact that there will have to be adequate planning of integrated systems throughout the country, so that transportation may be expedited.

Mr. PATMAN. Mr. Chairman, I yield 6 minutes to the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Chairman, I rise in support of H.R. 14810—and, in particular, in support of the important provision of the bill which would give birth to a new and far-reaching Federal program designed to produce within the next few years fresh solutions to the grave transportation problems facing the Nation's cities.

I refer to section 4 of the bill, an amendment offered in committee by Congressmen MOORHEAD, ASHLEY, and myself, which has received the endorsement of the Department of Housing and Urban Development. Section 4 directs the Department of Housing and Urban Development within 18 months of the passage of this act to prepare a 5-year program "of research, development and demonstration of new systems of urban transportation that will carry people and goods speedily, safely, without polluting the air, and in a manner that will contribute to sound city planning."

As Washington, D.C., commuters, we are all twice daily, five times a week, reminded of the serious state of urban transportation in this country.

Morning and evening each weekday we join 45 million other frustrated commuters plying their way to and from work on congested streets and freeways. We idle in our cars—on Independence, Pennsylvania, and Georgia Avenues, on the Whitehurst and Anacostia freeways, or on the bridges to Virginia—inhaling the exhaust from surrounding autos, listening to the helicopter reports of traffic jams and of the daily accident tolls.

As automobile commuters our common lot is inconvenience, frustration, partial asphyxiation, peril.

Rush-hour traffic congestion is only the most familiar and dramatic of a complex of urban transportation problems:

Urban transportation is unsafe. Last year in urban areas there were 8,800,000 motor vehicle accidents causing 14,000 deaths, 690,000 injuries, and untold property damage. Nearly three of every four accidents take place on urban streets.

It pollutes the air. Gasoline and diesel engines are and will remain a principal source of air pollution. The exhaust devices to be installed on 1968 model cars are only a temporary remedy. By 1980 an increased number of motor vehicles will spew a volume of exhaust into the air equal to the exhaust now suffocating our cities.

Our urban transportation system shortchanges the poor, the young, the elderly, the handicapped—those who do not have the service of an automobile in going from place to place, and must rely on inadequate public transit facilities. The McCone report on the Watts riots concluded that the residents of the area were locked in and unable to travel to places of employment as the result of an inadequate public transportation system.

Urban transportation is a problem of the long-distance traveler who already spends more time in limousines or on buses than on the airplane, when flying from Philadelphia to Chicago.

Our urban transportation system is a major cause of our current poor urban planning. Unsightly highways, parking lots, service stations eat up valuable urban real estate. In Los Angeles, half of the usable real estate is paved to accommodate automobiles. Twenty-six percent of all urban land in the United States is dedicated to motor vehicle use.

It is a problem of economics. The new Bay Area Rapid Transit System will save the residents of the San Francisco area an estimated $50 annually in reduced travel time, accidents, automobile insurance, parking charges, freight handling charges, and traffic control costs.

And, more broadly viewed, improved urban transportation presents a great opportunity to improve the quality of urban living by increasing the alternatives open to city dwellers. Greater mobility provided by improved urban transportation systems would produce a greatly expanded range of choices of places to live, work, and relax.

We urgently need a new research, development and demonstration program designed to break out of an urban transportation pattern established 50 years ago. Even on the tight time schedule written into section 4, the results of research, development, and demonstration will not be available on a large scale until 1973—6½ years from now.

By that time the automobile population of this country will have grown from 75 to 90 million, an increase of 20 percent.

If we do not act now the colossal December 30, 1963, traffic jam in Boston—where from 5 to 10 p.m. nothing in the city moved—will pale beside the traffic jams of the 1970's.

Today's Federal programs are expanding an urban transportation system which was introduced by the model-T. In fiscal year 1966, the Federal Government spent $1½ billion for the construction of freeways, and $51 million for additions to mass transit capital equipment—such as new buses and subway cars to replace worn out stock.

It spent only $24 million on urban transportation research and development. This research and development was devoted almost entirely to making minor improvements in our present auto, bus and subway systems—experiments in better bridge design, new systems for collecting fares, and the operation of the minibuses which are a familiar sight here in Washington.

In sharp contrast to Federal programs for intercity transportation, both ground and air, there is no Federal program to apply space age technology and research and development methods to intracity transportation.

One year ago, Congress approved a $90 million research and development program to design a new high-speed intercity ground transportation system along the northeast corridor from Washington to Boston.

Just last May we appropriated $280 million for fiscal 1967 for the estimated $1.3 billion program to develop a supersonic transport airplane.

Section 4 of this bill would remedy this gross deficiency in our urban transportation program.

Mr. Chairman, I am happy to report that Secretary Weaver, ably assisted by Charles Haar, Assistant Secretary for Metropolitan Development, has already given much thought to the kind of comprehensive research, development, and demonstration program which will have the practical payoff of producing viable new ways of transporting people and goods in our cities.

The Department has sought the advice of many of the Nation's leading transportation experts and has drawn on the experience of the Department of Defense and NASA.

Here is their tentative plan of action which section 4 of this bill would authorize:

Within the next 18 months, perhaps sooner, the Department would complete four closely related studies.

One study would define ideal urban transportation systems to serve different purposes in different kinds of cities. The use of new technologies—such as the fuel cell, advanced storage batteries, air cushion vehicles, automated highways,

gravity-vacuum tube systems—would be explored.

A second study would concentrate on evolving new urban transportation systems from our present automobile, bus, and subway systems. Improved bus design, automated parking lots, improved traffic control devices would be some of the improvements examined.

A third study would consider what immediate improvements could be made in our present transportation systems. The uses of streets exclusively for buses, trucks, or pedestrians would be considered. Expanded use of computers to control traffic, moving sidewalks, radios for bus and traffic control would be investigated.

The fourth study would examine the requirements for good urban transportation systems in different sizes and types of cities. The purpose of the study would be to describe how a good urban transportation system should perform in terms of convenience, safety, cost, service, use of land, and other factors.

Only the fourth study would be made by the Department. A nucleus of transportation experts qualified to oversee the full-scale 5-year research, development, and demonstration program, when it gets underway 18 months from now, would be collected to do this study. The other three studies would be contracted out to the three or more corporations, universities, or nonprofit research organizations best qualified to do them.

Mr. Chairman, section 4 of this bill outlines the first program applying space age know-how to save our cities from strangulation by freeways and suffocation from auto exhaust. I urge that we vote today to improve transportation within the Nation's cities just as we have already authorized programs which are actively improving rail and air transportation between its cities.

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

Mr. REUSS. I yield to the gentleman from Illinois.

Mr. YATES. Does the bill make provision for financing metropolitan local transportation, or is its thrust for transportation solely within the boundaries of an urban community?

Mr. REUSS. The thrust is entirely metropolitan, and the language specifically uses the word "metropolitan."

As we know, in Chicago, Milwaukee, and half a hundred other cities, the problem of urban transportation cannot be handled on just the central city alone basis. It must be a metropolitan approach.

Mr. YATES. How are such studies then to be financed? As I understand what is proposed here, applications for funds are to be made by the cities themselves, and no State is entitled to more than 12½ percent of the amount allocated at any one time. May a city combine with its suburbs in a joint financing? Is there any provision for combined financing?

Mr. REUSS. Yes, there is. Under all the provisions of the bill, metropolitan combined financing not only is permitted but also is encouraged.

For example, in the planning and engineering section, section 5, which is the brainchild of the gentleman from Georgia [Mr. WELTNER], is it explicitly provided that these grants may be made to metropolitan transportation associations? Equally this is true of section 4 and other sections of the bill.

Mr. YATES. I thank the gentleman.

Mr. Chairman, this is a good bill, a bill that is of the highest importance to the cities of this Nation. I strongly support it.

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

Mr. REUSS. I am glad to yield to the gentleman from Ohio.

Mr. SECREST. The 1964 act, in my opinion, has been most successful not only for the large metropolitan areas but for the smaller cities as well.

In Zanesville, Ohio, a grant of $113,000 was made. Eight new buses were purchased, and a busline which was rapidly deteriorating showed an immediate increase in passengers and is now one of the most successful operations that can be found for small bus operations in the country.

The city of Newark, Ohio, will probably request a grant in the near future. I want to help them and the passage of this bill is essential.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, I rise in support of this bill because it is a good bill, but I think we can make it a better bill.

My greatest regret concerning this program is that it does not adequately come to grips with the overwhelming needs of urban mass transportation.

These problems are concentrated in our cities—and under the Mass Transportation Act, there is a 12½-percent limitation on the amount of money that can go to any one State during the year in question. This means that of the $150 million to be authorized for the coming fiscal year, the maximum amount that can go to the State of New York will be about $19 million. That means that New York City—and probably the entire New York metropolitan area—will be lucky to get about $12 million a year.

You know and I know that this is "small potatoes" compared with New York City's great needs. The annual subway deficit is five times the sum of $12 million.

So if the urban mass transportation program is to do its job, it must be restructured to stop being a pork barrel with a small morsel for everybody and start being a program designed to meet the needs of the big metropolitan areas.

I am not proposing that we give the program any more money. Unlike some people, I do not wear a pair of rose-colored glasses which allow me to think that this country can undertake vast new domestic programs in the midst of inflation and war.

I could say that this program deserves more money because it does a job, and does it without wasting money on plush poverty salaries and that sort of thing. But I will stick to my guns. I will not urge new spending for new programs while we are in the middle of inflation and war.

I do feel, however, that there are changes which can be made in this program to improve it without adding to its cost.

I proposed a number of these changes in a bill I introduced this spring. One such change would be to remove the 12½-percent limitation on money that can be spent in any one State. Another improvement would be to change the maximum Federal contribution to 90 percent instead of 66 percent, if the local tax burden warrants it. After all, this is the way highway moneys are given to the States, and such a Federal share would stimulate more mass transit development.

Lastly, I proposed that Federal mass transit funds be OK'd by Congress for use in paying the interest costs of bond issues floated by States, municipalities, or agencies thereof for proper mass transit purposes which have been eligible for aid. This would be an improvement on the piecemeal Federal aid dole, which comes yearly in small spurts. If the localities could float bond issues with a Federal commitment to pay a good part of the interest, they could mobilize large chunks of money, and Federal aid would not be scattered in small yearly projects. I think this theme is worth pursuing.

But I am only going to offer one amendment today. I am going to offer an amendment to strike the 12½-percent limitation on the funds that can be spent in any one State. I believe this is unjustifiably crippling to metropolitan areas like New York City.

In closing, let me say that I urge this House to support mass transit programs. They are very worth while. They help people without controlling them, without dictating the way they live and work and socialize.

This administration's motto is billions to undermine the neighborhood school, but reluctant nickels and clipped pennies for mass transportation and commuter service.

I urge this House to support mass transit. It is a good program. We do need transportation. I urge this House to support this mass transit bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WIDNALL. Mr. Chairman, I yield the gentleman 2 additional minutes.

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

Mr. FINO. I am glad to yield to the gentleman from Illinois.

Mr. YATES. I am interested in the gentleman's other suggestion about making the Federal contribution 90 percent. It would seem to me that the great problems of our urban communities today are in coming up with their proportionate share of the matching programs. I know this is true with respect to urban renewal. I think there will be many communities that will have difficulty in matching the share that they have to come up with for the Federal contribution. I hope that the gentleman offers his 90 percent amendment.

Mr. FINO. As I indicated earlier, I thought the 12½ percent limitation is a very important one, and I thought I would withhold any other amendments at this time, because I want to see this bill go through.

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

Mr. FINO. I am glad to yield to the gentleman from New York.

Mr. MULTER. Does the gentleman have any figure on what it would cost for the Federal Government to subsidize the payment of interest even at the low rate of 4 percent a year on a bond issue for the city of New York for transit?

Mr. FINO. On a $400 million bond issue at 4 percent for 25 years, would cost about $16 million a year.

Mr. MULTER. Thank you.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. FINO. I am happy to yield to the gentleman from California.

Mr. DON H. CLAUSEN. Pursuing the point I made a moment ago with the gentleman from New Jersey, and as the gentleman from Chicago just commented about the fact that the Federal Government should allocate 90 percent of the funds through an amendment you have given thought to, I would admonish both of you to realize that the Federal Interstate System, which is built on the basis of a user tax concept, has worked very, very successfully, and while we think in terms of money, you might redirect your thinking toward the development of a program that would be financed consistent with the concept already successfully employed in the Interstate System. No highway system nor any transportation system can hope to be successful unless you develop a positive program of finance. Long-range planning to accomplish the desired objective will never be truly effective until we organize a method of finance to meet the need. I do not believe enough attention has been given to this and I would urge this committee to give immediate and serious consideration to my suggestion. If you desire a balanced system of transportation, you must develop balanced methods of finance. I believe we should be working toward this end.

Above all, we cannot condone the attempts to raid the highway trust fund with the extraordinary requirement for funds to complete the Interstate Highway System on schedule and permit us to add new mileage for the future—in the interest of safety.

And, so, Mr. Chairman, I would like to see the gentleman from New York [Mr. FINO], as a member of the committee, join with some of us who are advocating this in order to encourage a positive program to finance an effective system.

Mr. FINO. Mr. Chairman, I thank the gentleman from California.

Mr. PATMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia [Mr. WELTNER].

Mr. WELTNER. Mr. Chairman, I rise in support of H.R. 14810, the urban mass transportation bill. In 1961, the Congress authorized a limited demonstration program to explore the problem and possible solutions. In 1964, we made an important advance in our efforts to aid towns and cities by enacting the basic program of Federal aid to local mass transit systems. The bill before us is needed to continue that program, and is well justified by the record of growing success achieved under that program.

Mr. Chairman, I am proud to be a member of the Committee on Banking and Currency which handled this legislation, and I also know firsthand that my own city of Atlanta is well advanced in its efforts to overcome local transportation problems. Atlanta, like so many cities, found that it was faced with traffic congestion and that additional roads, highways, and expressways, desirable as they are, were not a complete answer.

Considering the essential role that buses and commuter trains and the like play in moving people in and around cities, it is surprising that their problems were so long neglected. Nationally, there has been a steady decline in transit ridership. Evidence presented at our committee hearings indicated that this decline has occurred mostly in the off-hours, while mass transit remains essential for rush-hour movement, and is necessary to those who, because of age, income or physical handicap, do not have the option of private automobiles. This paradox of a decline in the number of riders and a drop of revenues, while at the same time, mass transit is providing a vital service, has confronted both public and private transit systems with serious problems in meeting the new investment needs required to provide attractive and adequate service and, in some cases, even to stay in business. The program authorized in the Urban Mass Transportation Act of 1964 assists equally public and private systems, though the grant, naturally, must be made to a public body. The equipment and facilities can be, and in most cases are, made available to regulated private operators.

I am particularly pleased that the committee accepted my amendment to provide for mass transit planning grants under this program. Until now, cities have had to apply for planning assistance under the separate urban planning program which was not exactly suited and which has periodically run out of funds. I believe that the improved planning directly within this program will more than pay for itself by the greater efficiency and economy of systems so planned, to the benefit of everyone.

Mr. Chairman, this bill was approved by the Committee on Banking and Currency by the overwhelming vote of 29 to 1, and I hope it will receive equally strong support on the floor of the House today.

Mr. PATMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Chairman, I rise in support of this legislation. I also supported the 1964 act.

Mr. Chairman, every city in the United States must have mass transit; some already have it, but most are beginning only now to build and plan transportation systems for the future. Mass transit is in fact the only alternative cities have to ward off strangulation. Without mass transit, cities will turn into vast concrete jungles, and movement within them will become ever more difficult and ever more hazardous.

The absence of effective mass transit is causing us to spend hundreds of millions of dollars every year on transportation that could have been obtained at far less cost. We could be moving ourselves from place to place faster and at less cost than we are now. In the future, we must either adopt more efficient transportation or watch our cities strangle beneath the pressure of traffic and congestion and smog.

Mr. Chairman, there is evidence on every hand that we cannot continue to depend so exclusively on private automobile transportation: it is too costly and it is too inefficient. It is too costly in terms of investment, depreciation, maintenance, and it is too inefficient in terms of speed and safety, and all you have to do to prove it is to go through morning traffic here in Washington any day of the week, and read the accident statistics.

Mass transit will not solve all our problems, but it is essential to the future of every major city in this country. It offers no alternative to the private automobile, but rather should be an adjunct to it. What we need is to bring order from chaos, to create integrated, efficient transportation. There should be no reason why there is only one way to go from place to place; there should be a variety of ways, and they should offer the traveler transportation at the greatest possible speed and lowest possible cost. Where today we have no choice but to travel by car, tomorrow we must find a way to travel by car and mass transit, for we cannot continue to add cars and highways, at the present pace, to our land and leave room for anything else in the future.

I hope that the enactment of this bill will enable our presently strangling cities to breathe again, and enable our embattled population to move again at better than a snail's pace, and that tomorrow's bright promise will not be clouded by smog and buried under pavement.

Mr. PATMAN. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. ADAMS].

Mr. ADAMS. Mr. Chairman, I am particularly pleased to rise in support of H.R. 14810, the amendments to the Urban Mass Transportation Act of 1964, which incorporates the provisions of my bill, H.R. 13309. Many of us have struggled for many years to solve the problems of transportation within our metropolitan area and this bill is a wonderful step forward. It should be stressed in this debate that mass transportation facilities are not competitive with highways and other automobile facilities but are absolutely necessary if our highways are going to function as they were designed.

The "7 to 9" and "4 to 6" traffic jam started to creep into our metropolitan centers during World War II. Since then it has become a major problem to our citizens. It was thought for many years that high-speed freeways could solve the

problem. The contrary has been true, and in many instances the impact of high-speed 8- to 10-lane freeways meeting the traditional central city grid pattern of stop lights, traffic controls, and on-street parking has aggravated rather than solved the problem.

This bill will allow the development of the new type transportation systems which are necessary to meet the problem of peak-hour traffic. America has suffered from a terrible lack of research and engineering talent being devoted to the problem of the new mass transportation vehicle. Only now are some of the major corporations and governmental groups beginning to actively work on such vehicles as the computerized "sky bus" and other vehicles which can successfully operate through the whole range of high-density, medium-density, and low-density belts that form our metropolitan centers.

We should not be trapped into the traditional heavy, inefficient rail vehicles of the past as being the alternative to our present congestion. In other fields our technology has soared and there is no reason why we cannot expect lightweight, efficient, eye-pleasing mass transportation vehicles that can move the bulk of our working population in and out of the city during peak periods so the automobile may function all day in an efficient and pleasant fashion.

I am particularly pleased that this bill contains the section I proposed to authorize the Secretary to make grants to States and local public bodies and agencies for the planning, engineering, and designing of urban mass transportation projects. It is absolutely necessary that we fill the gap between the planning grants and construction grants which exist under the Urban Mass Transportation Act of 1964. The practical problem faced by local public bodies in developing a mass transportation system is to raise their share of the necessary local funds. This requires, in many instances, not only a plan but sufficiently detailed engineering and design work that the system can be placed into the form of a proposition to be submitted to the local voters for a bond issue or to justify an increase in taxes. For example, in my congressional district, which is generally the south half of metropolitan King County containing Seattle, Wash., the city of Seattle has received a planning grant from HUD in the amount of approximately $125,000 to plan a $110 million mass transportation system through the city. In order to raise the city's portion of the funds necessary to build this system, it will be necessary to establish local support, probably leading to the submission of a bond issue to the citizens. This means that the city must present detailed engineering and design information as to costs of rights-of-way, equipment, and specific—as opposed to general—plans. To submit to the public a bond issue on any other basis can lead to disaster, since the total cost after engineering studies may well exceed the costs arrived at in the planning stage and a bond issue which has been submitted to the citizens and passed may be completely inadequate to carry the project. The governments, Federal, State, and local, will then have been put to the cost of planning and submission of the plan to a vote of the people only to find the financing is inadequate, whereas if they had been able to engineer and design the system prior to submission to the people, the system would be feasible and could go forward.

Since I have mentioned the problems of the central city, I would be neglectful if I did not emphasize the even more pressing problem that faces suburbia and which will require, in my opinion, further assistance by the Federal Government to the local governments similar to the assistance given to local highway programs.

A central metropolitan city will usually have a substantial property base for taxation as well as a considerable amount of commercial activity which will form a basis for raising local funds. The suburban communities surrounding the central metropolitan core, however, are generally much smaller governmental units. Some of these will be small bedroom communities, and others will be small semi-industrial or retail centers. These communities are generally governmental units completely separate from the central core city and have very limited financial resources in terms of assessable property or commercial activity. In addition, the suburban communities are usually already heavily burdened with taxes for the establishment of new schools, sewers, sidewalks, roads, and so forth.

The suburban areas are an integral part of the metropolitan area but by themselves they cannot possibly fund the development of even their share of the mass transportation system which is needed for the entire area. For example, in my district even if the city of Seattle creates a mass transportation system from border to border of its corporate limits, it will not solve the problem. Instead we must have a system that will connect with and be extended through the governmental boundaries of the county and smaller cities that surround Seattle. This means that some type of governmental vehicle must be created by the governmental units surrounding Seattle to present a unified and comprehensive plan for the entire metropolitan area. This bill will be a giant step forward in providing Federal assistance in the planning stage for this comprehensive plan and thereafter in assisting the engineering and design stages so the surrounding suburban communities will be able to prepare a specific proposal to present to the citizens in the surrounding suburban area for their approval.

We have taken great strides in the development of highway and air traffic between cities. We have been tragically lax in meeting our inner city metropolitan problem. It is a well-known fact that the advent of the jet makes it possible to spend less time traveling great distances between our cities than it takes to travel from one's home or business to the airport. We must move swiftly and massively to meet this problem.

I congratulate the committee for having presented this bill to the House and I urge its speedy passage.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, this bill represents a very modest response to a very major problem—the preservation and improvement of public transportation facilities for the 70 percent of our people who live in urban areas.

Of all our transportation problems—from getting a man to the moon to reaching agreement on a new department—the urban mass transportation problem has been the toughest to solve. It is toughest because it involves the movement of hundreds of millions of people daily in relatively tiny areas which are vastly overcrowded, on systems which are often outmoded and poorly planned, and in facilities designed for an age long since past.

We need, therefore, new and modern equipment, more convenient schedules, a more rational, integrated, and coordinated system of routes—in brief, a balanced, areawide mass transportation system which will get people where they want to go with maximum speed, convenience, and comfort, and at minimum cost.

We have a long way to go to achieve this ideal—this necessity. This bill will help. But we are still at the beginning, especially in the case of the Federal Government. In the context both of what needs to be done and of what State and local governments have done and plan to do, the Federal role to date has been very little and very late.

It was only 5 years ago, and only after prolonged effort by those of us who daily confronted the problem in our own areas, that Congress first recognized the need and first accepted a measure of responsibility. And during those 5 years—at a time when the experts have estimated it will cost tens of billions of dollars to develop adequate urban transportation systems—the Federal Government has approved a total of less than $135 million in capital improvement grants, repayable loans, and demonstration grants.

While somewhat more than this has been authorized and appropriated, and will be spent before the end of the present fiscal year, I cite this figure to demonstrate the fact that the Federal Government is in no danger of taking over the urban mass transportation effort in America. At the present rate, in fact, we are being hard pressed even to hold up our very minimum end of the load.

The present bill, Mr. Chairman, will not significantly change this situation. We propose only these very limited changes: first, recognize that the urban mass transportation problem is a long-range one, and provide continuing authorization for the Federal program; second, increase the annual authorization from $150 million to $175 million; third, within this overall figure, increase the share of funds which can be spent for research, development, and demonstration purposes, from the present $10 million a year to $20 million in fiscal

1968 and $30 million in fiscal 1969; fourth, and still within the overall authorization, provide that funds can be used for the detailed planning and engineering of mass transportation projects; and, fifth, authorize an 18-month study by the Secretary of Housing and Urban Development of possible ways to secure technological breakthroughs in developing new methods of urban transportation. The aim of the study, as I understand it, would be a program similar in kind to the present high-speed rail research program for the northeast corridor.

I submit, Mr. Chairman, that this is a most moderate proposal. It represents far less than the Federal Government, under ordinary circumstances, ought to be doing. But I recognize, too, that these are not ordinary times. Confronted by extraordinary demands on our financial resources and threatened with a runaway inflation, Congress and the administration must keep a firm check on expenditures and follow a realistic order of priorities. Every program and project must be measured against the others and all must be subjected to the test of "is it necessary," and "can it be postponed?"

In this perspective, a $175 million mass transportation program is the best we can do, I believe. It is a fair allocation of our resources. It is reasonably proportionate to the need. But it is a minimum program. Anything less would represent a turning back from one of the Nation's most challenging problems—a turning back, incidentally, which would cost us a great deal more to overcome in the future.

It is important, Mr. Chairman, to remind our colleagues that the urban mass transportation program is, in a special sense, a congressional program. It is a regrettably rare example of a major domestic program whose inspiration and chief features have come from within the Congress, not from the administration. Despite the vast amount of attention which administration spokesmen devote to urban problems in general, and urban transportation in particular, its performance has not matched its rhetoric.

The administration has been delinquent, I suggest, on at least three counts:

First, its request this year for a simple 1-year extension of the existing program was clearly inadequate.

Second, it has starved the administration of the program to such an extent that the responsible office has been unable to handle properly the increasing volume of applications and requests for information, not to speak of the coordinating problems involved in a program which affects so many other Federal, State, and local activities so directly. To attempt to man a program of this size and significance with only nine professional employees reflects either a lack of responsibility or a lack of seriousness about the program, and unless the situation has changed in recent weeks, the program has only nine professionals to staff it.

Third, it has done altogether too little to implement congressional mandates to coordinate the mass transportation and urban highway programs or to obtain the kind of comprehensive transportation planning in urban areas which is essential if balanced transportation systems are to be more than empty phrases.

And, fourth, it has opposed the transfer of the mass transportation program to the proposed new Department of Transportation—a transfer which could give the program the status which its importance requires and which could make possible effective coordination of all kinds of transportation in urban areas.

Mr. Chairman, a successful mass transportation program is a major part of the effort to improve the life of our cities and suburbs. It is essential in every part of the country and in urban-suburban areas of all sizes. The alternative is growing chaos, as too many people struggle to transport themselves on overcrowded highways which consume progressively larger amounts of expensive urban land.

This bill will continue a program which is already contributing in an important way to the solution of the problem, and it will improve that program in modest but significant respects. At this time, Mr. Chairman, I think that is the best we can expect. But we cannot accept less.

I urge support of the bill.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, I wanted to take some time to ask some questions about this bill of some members of the committee on either side. To this point we have simply heard the bill is good. I want to know what it has accomplished and what we can expect.

In the description of the program the statement is made that before Federal assistance may be provided, the Secretary must determine that, first, the applicant is a public body, which may be a State, a local public body, or agency, or an agency established by the action of two or more States.

Does that mean that no one can participate in this legislation except a political subdivision which operates as a public body? Would some member of the committee care to answer that question?

Mr. PATMAN. Private companies can do the actual operating, but some political entity must exist or be created in order for the project to be considered.

Mr. WAGGONNER. Then is the gentleman in effect saying that grants are indirectly available to private transportation agencies as well as publicly owned transportation agencies? That privately owned transportation agencies are the recipients of subsidies in some instances.

Mr. PATMAN. In that way, yes.

Mr. WAGGONNER. The bill talks about increasing the funds for research and development and demonstration projects, increasing the amount of the authorization. Could the chairman of the committee or some member of the committee tell me what funds have been expended in the past of the money already authorized and appropriated for specific demonstration projects? What demonstration projects have been conducted?

Mr. REUSS. In answer to the question propounded by the gentleman from Louisiana, it would not be correct to say that the funds for demonstrations have been increased. They will continue at the $10 million annual level. Thus far the total demonstration grants made available, as of August 15, 1966, which is quite up to date, are $38,540,201—very close to the total authorized in the past years.

Forty different States and communities have participated in those demonstrations, and they range from the relatively large demonstration grants in the San Francisco Bay area for rapid transit engineering, for fare collection, and for rapid transit equipment tests, totaling close to $8 million, down to one in Seattle, Wash., for $10,000 for monorail experiments.

Mr. WAGGONNER. One would assume that the demonstration funds which have been expended——

Mr. HALL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Sixty Members are present, not a quorum. The Clerk will call the roll.

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

[Roll No. 223]

Anderson, Ill.	Farnsley	Murray
Andrews, Glenn	Fisher	Olsen, Mont.
	Fogarty	Olson, Minn.
Ashbrook	Ford, Gerald R.	O'Neill, Mass.
Baring	Ford, William D.	Pool
Barrett		Powell
Bolling	Garmatz	Purcell
Bray	Gubser	Quie
Brown, Calif.	Hagan, Ga.	Rees
Buchanan	Hanna	Resnick
Burton, Utah	Hawkins	Rivers, Alaska
Callaway	Hébert	Roncalio
Cameron	Herlong	Rostenkowski
Celler	Holifield	Scott
Clawson, Del	Ichord	Senner
Clevenger	Jonas	Steed
Cohelan	Kastenmeier	Stephens
Conyers	King, N.Y.	Toll
Corman	Landrum	Tunney
Cramer	Long, La.	Tupper
Daddario	Martin, Ala.	Tuten
Davis, Ga.	Martin, Mass.	Walker, Miss.
Dent	Matthews	White, Idaho
Diggs	Mink	Willis
Duncan, Oreg.	Moorhead	Wilson, Charles H.
Edwards, La.	Morris	
Evins, Tenn.	Morrison	

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Moss, 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. 14810, and finding itself without a quorum, he had directed the roll to be called when 356 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from Louisiana [Mr. WAGGONNER] had 1 minute remaining. The Chair recognizes the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, the gentleman had just finished before the quorum call answering a question about demonstration projects. The next logical question is, What new has resulted

in the conduct of these demonstration projects? In the conduct of research and these demonstration projects, what new systems, what new modes of transportation have been developed or appear to be feasible as a result of this expenditure of funds?

Mr. REUSS. Unfortunately, the main emphasis of the existing demonstration grant program, with its rather limited funds, when you consider the huge size of the problem has been on the existing modes of transport—buses, subways, and so on. This is not to say that there has not been some experimentation. For example, in the San Francisco Bay area there has been development of a rapid transit system.

Mr. WAGGONNER. Then would it be fair to say that the bulk of money which has been expended under this program thus far has been spent merely as a subsidy for existing transportation systems?

Mr. REUSS. That is entirely correct, and that is why the bill contains section 4, which, looking toward the future, would try to develop new technologies for the final third of the century.

Mr. WAGGONNER. The bill contains a section having to do with labor standards. We have been talking about subsidies. You have said that most of the money spent has gone for subsidies for existing systems. Could the gentleman tell me whether or not any of the money appropriated under this bill was spent in subsidizing labor in the New York City transit strike earlier this year? Is labor in any way subsidized by this bill?

Mr. REUSS. Not a penny of the grant funds has been spent on subsidizing labor. Specifically, nothing was spent having to do with the New York transit strike.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Chairman, I take this time to alert the Members of this House to a glaring inequity in the present Urban Mass Transportation Act that actually works against the bill and the communities that it seeks to serve.

The mass transit legislation, Mr. Chairman, is deficient in providing solution to a problem as exemplified by a very serious situation that has come to pass in Yakima, Wash., in my congressional district.

The situation, which I briefly described on the floor of the House on May 10, is this. The bus company operating in Yakima was losing money. They notified city officials that with the expiration of their franchise on May 31, 1966, they would have to go out of business. In order that the city not be deprived of bus service, the city officials arranged to take over the bus and other transportation facilities of the transportation company and operate the system itself, doing so at an expense to the city itself.

To finance this solution, the city government proposed the institution of a householder tax and sought also to obtain a grant from the Department of Housing and Urban Development. They also set up a referendum as required by law in advance of the May 31, 1966, deadline.

The Department of Housing and Urban Development, Mr. Chairman, cleared the grant, amounting to $172,232, in all particulars except for the section 10(c) which was inserted into the act for the purpose of protecting union workers. In the Yakima case, the eight bus drivers involving all union members were to have their hourly wages raised from $2 an hour to $2.40 an hour. They were also to receive additional fringe benefits upon becoming city employees under the city civil service system. As city employees, however, they had to give up their union shop contract although the city officials were willing to continue their collective bargaining rights. All eight employees were union members so they had a de facto, if not de jure, union shop.

In effect, city officials in Yakima were advised by HUD that before the Federal grant would become available to them, the bus drivers would have to have a closed shop, the right to strike and compulsory arbitration. This, in spite of the fact that the bus driver's individual positions would not have been worsened, but bettered.

All these proposed revisions in a new labor contract, Mr. Chairman, are directly contrary to Washington State law and the charter under which the city of Yakima must operate. The city attorney and city manager, quite rightfully, could not see how they could agree to these proposals or a union shop for that matter, without making themselves personally liable for law suits charging that they had violated State laws.

May I say, Mr. Chairman, that it had been my hope that long before now the Department of Housing and Urban Development and the Department of Labor would have gotten together to resolve this problem. This has not been the case, however, because the situation has remained unresolved. It has remained unstudied and unattended to by these two departments of our Federal Government. I suspect that possibly they feel the decision is not in their hands. Be that as it may, it is their responsibility and it has not been resolved.

In the meantime, Mr. Chairman, the city of Yakima, with a population of 43,000 people, is without any kind of public transportation service and has been for many weeks. Our cleaning women, dependent on the buses, have been without jobs because of this. Our elderly, and our blind, and our disabled, and our children going to city schools have been without bus service. Finally, the bus drivers are not driving buses. They are without their jobs. Their situation, coupled with the need for bus service in this city, has made the whole situation a devastating one which has cried out for attention but has remained unresolved.

For this reason, Mr. Chairman, I am today going to offer an amendment that will retroactively and in the future exempt the Government employees from the provisions of 10(c) as relates to compulsory membership, but not to decrease their personal situation.

Mr. WIDNALL. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. KUPFERMAN].

Mr. KUPFERMAN. Mr. Chairman, I rise in support of this legislation—H.R. 14810—as a realistic and needed step toward meeting the complex demands upon transportation in our ever growing urban areas.

The cry of mass transit and essential commuter services in our cities and metropolitan areas has never sounded so desperate, nor has the need for the Federal Government to come to their aid been more urgent.

Statistics indicate that New York City's rapid transit network serves as the largest railway in the world in terms of passengers carried. Approximately 4.5 million persons are using mass transit every day in New York City.

We live in a modern age, but with an archaic and chaotic transportation system. There is little question that with the technological know-how of our country together with proper planning, we can meet the transportation problems of tomorrow. Our first order of business, however, is to meet the pressing needs of today.

We do not need another transit strike, such as the one New York City experienced not long ago, to point up the fact that our present systems of transportation are inadequate.

According to a recent report of the Regional Planning Association, which functions as a nonprofit organization of planners from 22 counties of New York, New Jersey, and Connecticut, $2.5 billion is needed in the next 10 years to finance improvements necessary as of now in the tristate metropolitan area.

Anyone who has traveled by automobile in New York City knows the traffic problems too well. Statistics indicate traffic in midtown and downtown Manhattan moves at a pace of an average 8.5 miles per hour. Moreover, the average speed on the expressways is not much faster, and they have been described in rush hours as one long series of parking lots.

It is not enough merely to expedite the building of longer and wider highways and expressways and employ more stringent regulation and exercise of traffic control.

In fact, an unfortunate factor involved in these approaches has been that they only forecast the continued expansion of vehicular travel on our expressways, highways, roads, and streets until eventually only expressways, roads, and streets will remain.

Mr. Chairman, the transportation problems of an advancing age do not necessarily have to weave our cities into a web of strangulation.

The authorization of $175 million a year for fiscal 1968 and subsequent fiscal years to finance urban mass transportation grants as provided by the bill before us today—H.R. 14810—would be a definite beginning. In my view, however, this extension or continuation of the program for fiscal 1966 and 1967 is not going to be satisfactory to meet the transportation needs of the urban commuter service in urban areas.

On May 3, 1966, I introduced a bill, H.R. 14843, which appears in the CONGRESSIONAL RECORD of May 3, together

with my statement on page 9758, which would amend the Urban Mass Transportation Act to authorize certain grants on a temporary basis to assure adequate commuter service in urban areas. In addition, my bill would increase the existing 12½-percent limitation on grant funds which any one State may receive under the present law. It has long been recognized that presently the highly urbanized States such as California and New York do not receive a just proportion of available funds. Yet, the 12½-percent State limitation remains a black spot of economic discrimination against the densely populated cities. This is ironic because obviously the crowded cities are the one area in which the help is most needed. Moreover, the statistical population trends consistently indicate this situation will worsen.

New York State, for example, contains approximately 9.4 percent of the total population of the United States, and with the 12½-percent allowance seemingly receives its full amount. But because New York State has many densely populated cities—the largest, of course, being the city of New York—in effect the 12½-percent limitation is an unwarranted restriction on the Federal funds available.

My bill—H.R. 14843—would increase the limitation to 15 percent in the case of any State in which more than two-thirds of the maximum grants have been made or committed for projects and where the Secretary determines that there is a substantial need for such an increase in order to carry out existing programs.

I also have introduced a bill—H.R. 14844, which appears with my statement in the CONGRESSIONAL RECORD of May 3 at page 9758—to permit a State to elect to use funds from the highway trust fund for purposes of urban mass transportation. Expert planners have long recognized the need for flexibility in transportation planning as well as the need to focus attention on the plight of urban mass transit systems.

While the decision as to whether Federal highway funds are to be used for highways or mass transit would under my bill remain in the State capitol, I am hopeful that the increasing realization of the advantage to all of meeting the cities' needs will dictate a direction of a large portion of these funds toward mass transit.

Mr. Chairman, my predecessor in the 17th Congressional District, John V. Lindsay, testified on April 28, 1966, as mayor of the city of New York, before the Housing Subcommittee of the Senate Banking and Currency Committee on legislation to provide Federal assistance to urban mass transit systems. I would like to include at this point in the RECORD some pertinent portions of his testimony:

The United States is developing into huge city complexes, among them Boston, New York and Baltimore-Washington. Between Washington and Baltimore, the theoretical boundaries of the historic city have been overrun. Geopolitics tells us the entire Eastern Seaboard from Boston to Norfolk will be joined in a community of cities well before the end of this century.

Metropolitan New York, the largest of any of the existing city complexes, will stand at the center of this massive concentration of people. Already, 1 of every 10 Americans lives within commuting distance of New York City.

New York City's rapid transit network forms the largest railway in the world in terms of passengers carried. Every weekday, the city's Transit Authority dispatches 8,500 trains along 30 routes and 240 miles of track. They carry about 4.5 million persons. Most of the passengers are en route to or from their place of work. Another 100,000 persons travel on 2,500 Transit Authority busses every day—a number matching less than 10 per cent of the rail system's volume.

The city's subways transport almost 1.5 billion persons a year. Most of them ride between 7 and 10 a.m. and between 4 and 7 p.m. The destination of the majority is the area of Manhattan Island south of Central Park. To a great degree, consequently, many functions of our rapid transit system are frozen in both time and space.

The cost of transporting millions of New Yorkers and commuters is formidable. Almost 26,000 employees are needed to operate and maintain the subways. The subways' operating costs this year, including electricity charges, will total $271 million, about $64 million more than operating revenue.

The bus lines operated by the City Transit Authority employ another 9,000 persons. Bus operations cost $84 million, and this year the lines will lose about $12 million.

Transit Authority expenses, then, are expected to exceed operating revenues this year by more than $76 million.

Operational losses tell only part of the discouraging story: In fairness the city's bus and subway system should also be charged with debt service on $1.25 billion of debt incurred by the city on their behalf and still outstanding. The principal and interest on this debt amount to $120 million annually.

Even if the city succeeds in meeting the deficit this year, its success will be short-lived; for if present revenue, expense and debt service figures are projected over the next 10 years, the Transit Authority may show a $250 million deficit in 1976.

Although the loans for capital improvements have been sizeable, most of the money spent in recent years has been devoted to beating off obsolescence. Despite minor alterations and extensions, the quality of the city's rail service has not improved substantially over the past 25 years.

The imbalance of the past 20 years in favor of roads must be redressed. The massive capital needs of mass transportation must be supplied. We first must enlarge the present system to carry people where they want to go with a reasonable amount of comfort and speed. At the same time, we must strive to make the present system attractive enough to capture its desired share of the total transportation market.

By "desired share," I mean that share which represents the best use of our resources—time, land and money. One illustration will explain better than several generalisms:

A mile of new, two-track subway in New York today would cost about $25 million, fully equipped: It would handle 50,000 passengers per hour at peak periods and would not consume any appreciable amount of real estate.

By contrast, a mile of new arterial highway in the city costs at least as much, carries about one-tenth as many people, and consumes about 30 acres of taxable real estate. Once built, operating speeds are about the same and operating costs favor the subway over the private car.

In twenty-five years the New York subways have not suffered a single passenger fatality due to operational failure. I'll skip the obvious comparison with highways.

A satisfactory program for new subway construction for New York City and its suburbs—with air conditioning and other improvements—would require an expenditure of $4 billion over the next ten years. The sum represents about 40 per cent of New York City's entire capital budget for the period. The outlay is plainly impossible without large amounts of Federal funds.

Federal aid to transportation has proper precedents in the Federal support given at crucial stages to inter-city railroads, ocean shipping, aviation, and highways.

I submit that the case today for Federal support of urban mass transportation is equally compelling.

Mr. Chairman, I support the bill before us today as evidence of recognition by this great body of the tremendous needs in the field of mass transit and a commitment to help resolve the mass transit problems of the urban areas. While it is not nearly enough to do the job, it provides a definite program for a good beginning.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I rise in strong support of the bill before us. There is no doubt in my mind that the problems of urban mass transportation are of paramount concern to us all. Two-thirds of the population of our Nation lives in metropolitan areas. In 4 years, it is estimated that figure will be closer to three-fourths. With the great cities tending to merge into clusters of urban areas, the need for coordinated planning and massive assistance to urban mass transportation becomes urgent.

Consider, for a moment the sudden effect of the recent great electrical blackout on the vast urban complex in the East. Transportation, the backbone of the cities' economy, and the lifeblood of its commerce was forced to come to a virtual standstill. Traffic patterns, without traffic lights, were chaotic. Subways were forced to halt, and urban mass transportation amounted to urban mass confusion.

I submit, Mr. Chairman, that major U.S. cities are fast approaching a permanent state of total paralysis, due to inadequate and archaic forms of transportation and lack of coordination of those transit systems. The bill before us attempts, with several significant approaches, to correct today's gloomy urban transportation picture.

The first major section of the bill provides needed financial aid to communities which have the will, but not the financial way to make capital improvements in present transportation systems and to coordinate transit systems with existing highway and transit networks.

Included in the uses of Federal grants and loans is the concept of the demonstration project. This is a sign of hope for the welfare of our cities. Through this authorization, we are encouraging local officials to plan transportation systems which will be swift, safe and fully integrated into the urban complex. For too long cities have regarded transportation as a piecemeal effort. The demonstration grants section has successfully induced city planners and metropolitan

officials to think of urban, mass transportation in terms of the long-range total topographic picture—in terms of the proper relationships between residential and industrial areas, between rural and metropolitan areas. The idea of comprehensive planning is being accepted and welcomed.

The section raises the total level of grants and loans to $175 million per year. This increase of $25 million per year reflects the growing urgency and complexity of the problem. It also attests to the increasing popularity of the concept of comprehensive transit planning. The sum is a pittance compared to the vast Federal outlays for highway construction—$250 million for fiscal 1966. We should realize, moreover, that as we increase highway use, we are adding to the headaches of the cities. For all our modern roads lead to our modern Romes—congesting urban transportation systems.

Section 3 of the bill would authorize increased grant funds to finance research, development, and demonstration projects. Such increases are also justified by the growing number of cities willing to concentrate planning resources on the problems of modern urban transportation, and the increased transit problems of the cities.

I am especially pleased with section 4 of the bill, which directs the Department of Housing and Urban Development and the Department of Commerce to cooperate in thorough research into new systems of urban transportation. Such initiative is long overdue, and the joint effort of the two Departments superbly characterizes the spirit of this legislation—that urban transit must be fully integrated into the metropolitan complex through comprehensive planning. A 5-year research program is planned which will look into alternatives to the inadequate urban mass transportation systems deteriorating daily under constant overloading. I am happy to have sponsored legislation which aimed at coordinated research and development of new modes of urban transportation.

The last section of the bill further carries through the purpose of this legislation by authorizing grants, up to two-thirds of cost, to localities preparing surveys and research on comprehensive planning of urban transportation systems.

I know only too well the problems of urban mass transportation which the bill seeks to alleviate. Urban downtown areas are losing commerce and industry. Commuters in my district in Queens must wait in lines two blocks long in rush hours in order to catch a bus which might well break down before the weary commuter is home. This scene could easily become the accepted norm if we do not take immediate steps now to search for new modes of transportation to improve the vital mass transportation systems of our cities.

The local initiative is there if the funds are. The Jamaica-Queens Chamber of Commerce proposed extending subway service to additional sections of Queens by using Long Island Railroad tracks. This would conceivably reduce bus overcrowding. Such a program might well qualify for a demonstration grant, unless, that is, we tell such local programs that we are stopped by a self-imposed arbitrary limitation of funds.

Mr. Chairman, we should realize the existing need for comprehensive planning of transportation systems that are fully integrated into the urban complex. City planners envision great regional expanses of urban areas. But one may already witness the development of such a megalopolis today, when one flies from Washington to New York at night. One sees an almost unbroken chain of lights between these two cities. This chain is no "unidentified flying object" formation in the sky. It is the shape of things to come. We should recognize that comprehensive interstate transportation planning is necessary not tomorrow but today.

I heartily support these sections of the bill, since I believe they will attack the mass transportation problem through the means which hold the best hope of providing a solution to this urban ill. However, the hoped for results of these new provisions may not materialize if the present State limitation on funds is left standing.

At present, no one State may receive more than 12½ percent of the total authorized grants. While this may, on the surface, seem reasonable, closer examination will reveal that it is far from adequate to meet even the dire minimum needs of the great cities like New York whose transportation systems draw nearly as many persons into their environs as their total population.

Of course, I would like a broader bill. So would many of us whose constituents live with this problem day after day. I would have preferred the broader features of my own bill, H.R. 13698. But in substance this is a good bill. It is vital legislation. It's purpose, I maintain, is to concentrate resources into urban areas to solve mammoth transit problems. However, the existing limitation will obviate this purpose. I intend to offer an amendment which will direct funds to the Nation's largest cities, with highest population densities. It will give priority to the urgency of need, and will enable the spirit of this legislation to be fully realized in practice.

I trust that at least a limitation flexibility pool can be set up so that urgently needed programs that may reach the ceiling can be continued.

Mr. PATMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Chairman, I shall vote for H.R. 14810, the proposed Urban Mass Transportation Act of 1966, but I am convinced it is inadequate.

Obviously, aid to urban mass transit is of tremendous importance if we are to rejuvenate our decaying urban centers, enable planners to provide effectively for orderly development of the suburban communities and help protect the low- and middle-income families against the mounting pressures generated by rising living costs.

The cost of operating a family car is estimated at about 10 cents per mile. For the commuter, living 10 miles from the factory or the office where he works, this means about $2 per day, about an hour's net wages for the average factory worker—assuming he can park for nothing. A few years ago, a car was a luxury for the average man, to be considered after basic living costs were met. Today, for too many, a car is a necessity and a second car in the family may spell the difference between comfort and great difficulty.

Originally, the alternative to the family car, or cars, was to live near public transportation; the maximum economy was to live at some point beyond the trunkline mass transit, along the feeder lines that connect to the main arteries of mass transit. This is where the rents were lowest. Consider, if you will, what has happened to a moderate-income family which chose remoteness as a means of economy. If they moved to parts of the more populous New York City areas in the Bronx, Brooklyn, or Queens, they probably chose an apartment which was connected to the downtown area by a route which entailed first a bus and then the subway.

Not so very many years ago, this ride cost 10 cents each way, 20 cents per day. Today, that same, long trip costs 40 cents each way, 80 cents per day—a fourfold increase. Moreover, we are told that it is unlikely that the fares can be maintained at this level and that the cost of the round trip will probably rise by another 20 cents per day to where it costs the wage earner a dollar a day just to go to and from work. Add to this the travel costs of his wife for shopping, the kids to the doctor, and traveling to visit friends and you can see the impact. This is the fare for an overcrowded bus and subway system that does not even guarantee that you will start very near your home or get off within two or three blocks of your place of work.

We are told that about 70 percent of our fellow Americans reside in urban areas and that this figure is rising. The suburbs face the prospect of overcrowded roads, increasing time for the drive to the destinations normally frequented in metropolitan areas and the inability effectively to plan for population concentrations as the core city population emigrates.

The need for improvement in our mass transit capacity is obvious though the response, as reflected by the bill before us today, understates that need to a really incredible extent. In contrast to the $175 million provided for the next fiscal year for mass transit, this House voted, less than a week ago, to put $4.5 billion into highway aid next year. This bill before us would provide no increase in the mass transit aid level during the following year. Less than a week ago, this House voted to increase fiscal 1967's $4.5 billion to $5 billion for fiscal 1968. That increase alone will be almost three times the total transit aid.

On page 3 of the report accompanying this bill, we have the recitation of the requirement that for a mass transit facility to receive aid, it must be part of

a "unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area." How can there be an "officially coordinated urban transportation system"—or "comprehensively planned development"—without taking into account the relationship between mass transit facilities and highways? Yet, the Congress does not allow the localities to decide relative priorities between these two types of transportation. The Congress has in effect prevented balanced planning and proper coordination by decreeing that highways shall have 25 times as much Federal money as mass transit—$4.5 billion compared to $175 million. The only acknowledgment of the interrelationship appears in section 8 of the bill which provides for "consultation" between the Secretary of Commerce—as he dispenses billions for roads—and the Secretary of Health, Education, and Welfare, as he doles out funds from the $175 million allocated for mass transit.

I feel constrained to note, too, that this bill permits grants only for construction or overhaul of mass transit systems. There is no provision whatever for aid in financing the operation or routine maintenance of such facilities. I will support the amendment to delete the 12½-percent maximum allowed to a single State, but must point out that, even if grants for New York State were not so restricted, the failure to permit any grants to meet operating and maintenance costs means that we are still not recognizing mass transit as a vital and valuable public service. What is sorely needed is not only construction aid but also aid to meet operating expenses while mass transit facilities are being improved. I have cosponsored with Senator HARRISON WILLIAMS of New Jersey, a bill which would provide the latter type of aid provided there is an approved plan being implemented. The aid under this bill—H.R. 12407—would continue for up to 10 years. When the planned work is completed, the mass transit system should be at optimum efficiency and probably self-supporting with a reasonable fare.

When this House was considering the highway aid bill last week, I described, once again, another proposal of mine which would permit use of some of the huge highway subsidies for mass transit where, in the judgment of local officials, local needs for a balanced transportation system require it. My remarks appear on pages 19104–19105 of the RECORD for August 11, 1966. I need not recapitulate them here.

I am heartened that an increase in mass transit aid is to be provided under the bill before us. I am disheartened, however, to note the gross inadequacy of this modest increase in an inadequate program, as measured by the need and as measured by our effort in behalf of superhighways. It is today possible to drive from New York to Philadelphia in less time than it takes to go by mass transit from the north Bronx to southeast Queens.

This Congress appears more willing to finance new highways within New York City to take additional cars into the congested downtown streets than it is to help build and operate mass transit facilities which could move more people faster and cheaper between the same points. This may make sense to some people, but it does not to me or to most people familiar with the problems of my city. I daresay that the same judgment probably applies to many other large cities.

I urge passage of this bill because it is a step in the right direction. But, it is a woefully small step.

Mr. PATMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. KREBS].

Mr. KREBS. Mr. Chairman, I rise in support of the Urban Mass Transportation Act of 1966. The provisions of this act are designed to provide a coordinated approach to the problems of mass transit. The increased annual appropriation to finance grants under the 1964 act is vital; for the problems of our cities, far from disappearing, threaten to overwhelm the urban areas of our Nation if we do not redouble our efforts.

However, just as crucial in the long run as money, are the provisions of this act for research and development aimed at dealing with mass transit in a long-range comprehensively planned and rational manner. This bill deals with transportation. But in today's sprawling megalopolises the state of mass transportation affects employment, it affects the efficiency of private enterprise, the distribution of goods and services to the public, the national defense, and in short, the well-being of our people. By directing the Secretaries of HUD and of Commerce to prepare a program of development which will consider all the ramifications of the transit problem, and by emphasizing the necessity for including transit planning in a comprehensively planned program of urban development, this act goes a long way toward providing urgently needed technical information and coordination.

If the day ever existed when it was possible to say that cities could muddle through without method or design, allowing vital services and institutions to shift for themselves in a sea of pressure groups, politicking, and ignorance, that day is long gone. This body has already demonstrated its foresight and wisdom by its approval of the Urban Mass Transportation Act of 1964 and by the overwhelming support which the Committee on Banking and Currency has given to the present bill. These are difficult times when many complex problems vie for our attention and for funds; but as I have no doubt of the urgency and wide extent of our urban problems, I also have no doubt of our determination to solve them. I give my support and I urge the House to give its support to this important bill.

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. MINISH].

Mr. MINISH. Mr. Chairman, I rise in favor of H.R. 14810, the urban mass transportation bill of 1966. The report of the Banking and Currency Committee fully documents the nature of the current problem and the need for the legislation recommended to help solve it.

The urban mass transportation program, presently being carried on by the Department of Housing and Urban Development under the Urban Mass Transportation Act of 1964 is necessarily complex. It requires coordination of public and private mass transportation systems; areawide planning covering all the local political jurisdictions, labor protective arrangements, determinations as to revenue financing ability, air pollution controls, and so on.

In spite of this, the program has already achieved a remarkable degree of success. Commitments in favor of mass transit systems are being made throughout the country in cities of all sizes, as the committee's report points out. In many cases this is being done at public referendums. Recent cases in point include the cities of Dallas, Tex.; San Diego, Calif.; and Salem, Oreg.

Small cities, in which the rate of attrition of transit systems has been most acute during the past decade, have also been struggling to reestablish such systems. A demonstration grant project on structuring a small city system is currently in progress, for example, in Rome, N.Y., which abandoned its privately owned system in 1955.

I am most familiar, of course, with the problems of the New York metropolitan area, and especially the Newark area. Here commitments far in excess of those provided in this bill are required. But what has happened to date has all been in the right direction.

Currently in execution, under a capital grant authorized in July 1965, is a project popularly known as the Aldene plan. It is being sponsored by the State of New Jersey and is part of a plan for an officially coordinated mass transportation system for the northern New Jersey-New York metropolitan area. This project has an estimated gross project cost of $9,110,486 and is being assisted with a $3,622,124 grant from HUD, approved in July 1965.

The project will permit Jersey Central passenger trains, which now terminate at a ferry terminal in Jersey City, to be rerouted via the main line of the Lehigh Valley Railroad to the Newark station of the Pennsylvania Railroad. There, passengers will be able to utilize convenient existing connections to downtown and midtown Manhattan and to Jersey City.

This project will permit abandonment of the outmoded and undependable ferry service, and provide passengers with an all-weather, all-rail route to both midtown and downtown Manhattan.

It will also reduce the economic burden of passenger service on the Jersey Central. The State of New Jersey has determined that the Jersey Central provides an essential public service despite continuing financial losses, and has subsidized the railroad through direct payments of over $30 million since 1960.

Also essential to the success of the Aldene plan is a project being undertaken by the Port Authority Trans-Hudson Corp.—PATH. This project, approved in July 1965, provides for the purchase of 44 new rapid transit cars,

rehabilitation of 47 cars, station upgrading, and equipment and track improvements. The gross project cost is $15,020,000, and the capital grant from HUD is $5,100,000.

This project is concerned primarily with upgrading of PATH facilities between Jersey City and Newark. It will improve service to about 20,000 daily passengers who presently use the system to and from Newark and will encourage expanded use by others. The system is an important transportation link to urban renewal projects underway or planned in Newark and Jersey City, and will strengthen lower Manhattan as an employment location for New Jersey residents.

These projects demonstrate that a complex mass transportation plan, involving both public and private enterprise and various public authorities, can be worked out successfully and can provide broad public benefits. Mr. Chairman, under the mass transportation program and funding as presently authorized we are merely scratching the surface of our urban transportation needs.

I consider the strengthening and improvement of the program, as proposed in H.R. 14810, to be very important. I strongly urge passage of the bill.

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, I want to take this opportunity to support this legislation to authorize expansion of the mass transit systems serving the many urban complexes throughout America.

In the city of Cleveland, we have a public mass transit system operated by the Cleveland Transit Board which is one of the model transit systems in America. Under the mass transit legislation previously passed by Congress, we were able to expand our public transit system to the Cleveland Airport—linking jet air transport to the central city and all points on our rail rapid transit system. The Department of Housing and Urban Development provided a grant of $6,995,000 to make possible this rail rapid transit extension 4 miles from the present western terminus of the system to the Hopkins International Airport. The project cost of this extension will total $13.9 million. The Federal grant program has therefore stimulated the involvement of extensive local resources to provide this transit extension which would otherwise have been impossible.

It is my hope that this new authorization will make it possible for the Cleveland Transit System to apply for further Federal assistance to extend the rail rapid transit system throughout the south and southeast portions of greater Cleveland. This will make our system a comprehensive metropolitan system. As a system expands to serve all sections of the metropolitan area, it will increase in use and efficiency and thereby prove the wisdom of current expenditures which are made at the Federal and local level.

Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. FEIGHAN] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. FEIGHAN. Mr. Chairman, I would like to express my wholehearted approval of the work of the Committee on Banking and Currency in the preparation of H.R. 14810. It is only to be expected, after the demonstrated excellence of the Urban Mass Transportation Act of 1964 which began the program of Federal grant and loan assistance to mass transit systems. H.R. 14810 as approved by the committee continues, with minor amendments, and expands this program, which has proved to be of the utmost benefit to the people of this country.

I think that one of the most beneficial aspects of the urban mass transportation program as a whole, under the 1964 act, has been the extent to which it has induced State and local governments, the Federal Government, and private industry to cooperate and pool their respective resources in the public interest. President Johnson has characterized this as "creative federalism" when he recently said:

> Many of our critical new programs involve the Federal Government in joint ventures with State and local governments in thousands of communities throughout the Nation. The success or failure of these programs depends on timely and effective communication and on readiness for action on the part of both Federal agencies in the field and the State and local governmental units.

In my home city of Cleveland, Ohio, we are experiencing an outstanding example of "creative federalism" under the Urban Mass Transportation Act of 1964, in connection with a 4-mile, $13.965 million extension of the Cleveland municipal rail rapid transit system to the Cleveland International Airport. In addition to serving the airport itself, it will provide rapid transit service to a densely populated residential area in the vicinity of the airport. This project is made possible by a $6.995 million capital facilities grant under the 1964 act. It has also involved close and active cooperation not only on the part of the city of Cleveland and the Department of Housing and Urban Development, but also on the part of Cuyahoga County.

The city is investing a considerable sum in parking lots at two new rapid transit stations and for a new access roadway to airport lots, and Cuyahoga County will make a substantial contribution by providing five new bridges along the rapid transit extension. As a result of this cooperation, not only will Cleveland reap the benefits of having a rapid transit connection with its international airport, but the thousands of people who live in the vicinity of the airport and along the new extension will be integrated much more effectively into the urban environment of Cleveland than would otherwise be possible.

As Mr. Secretary Weaver said at the ground-breaking ceremonies at Cleveland a few weeks ago:

> We must recognize, in short, that transportation must help create the urban environment we seek; that the principal problem of a city is not how to move, but how to live.

This is being done in Cleveland today. Before this airport extension project was considered, Cleveland had a municipal rail rapid transit system of which it was justly proud. It was financially self-supporting and gave the people of Cleveland convenient, efficient and economical service. My good friend FRANK J. LAUSCHE, former mayor of Cleveland, Governor of Ohio for five terms, and now senior U.S. Senator from Ohio since 1956, had a great deal to do with and deserves a great deal of credit for organizing and establishing that system on a sound and efficient basis. However, it was found that the revenues of the system alone, even with the help of the city and county, could not adequately finance this much-needed extension. Nevertheless, by virtue of the Federal assistance made possible under the 1964 act, it can be done and is now in process.

The urban mass transportation program under the 1964 act has more than proved its worth in the 2 years of its existence. More and more States, cities, towns, and other local public bodies have been turning to it for assistance in meeting their mass transportation problems. In many, many cases the situation has been so acute that only the assistance provided for under the act has enabled local authorities to avoid a complete and total breakdown of transit service. This basic situation has not changed, although much progress has been made under the present program. Our cities continue to grow both in population and in number of automobiles, by leaps and bounds. The rate at which applications for transit aid are being received has grown to an annual level of $200 million. H.R. 14810 merely continues the existing program at an increased annual authorization of $175 million instead of $150 million. Surely, this is a minimum operating level if this program is to continue to benefit our people as it has shown it can.

I urge the passage of H.R. 14810.

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I rise in support of this legislation. I regret that the funds involved are not greater and that the bill does not face the question of operating expenses in the mass transit systems of major cities. I think it is important that we recognize that our cities themselves have very limited resources and cannot finance operating expenses which should be included as well as capital expenses.

However, H.R. 14810, will continue and enlarge the Urbai. Mass Transportation Act of 1964. There is no need to speak at length here about the need for greater urban mass transportation. No one can deny the inability of automobiles alone to meet the commuter needs of our great metropolitan areas. As Mayor Joseph Barr, of Pittsburgh, told the International Conference on Urban Transportation last February:

> Everywhere there is an increasing awareness and a growing urgency for drastic ac-

tion soon to help us solve the transportation problems of our great population centers . . . we in Pittsburgh have learned—as so many other communities are realizing—that total reliance on the private auto for transportation is leading us recklessly down a dead-end street.

Nowhere is there greater realization that there cannot be total reliance on automobiles than in New York City. The consequences of relying on automobile transport alone were painfully demonstrated by the transit strike early this year. Utter chaos was averted only by emergency measures. As it was, there was enormous economic damage and personal inconvenience.

The subway strike added a dramatic illustration to the mounting evidence that our cities must have good mass transit systems. If this was evident in 1964, when the first legislation was passed, it is even more evident in 1966. However, the Federal aid which has been given up to now is only a beginning.

It must be extended. The capital grants which have been approved so far represent only a very small part of the total investment required to build and equip adequate transit systems in our cities.

This investment could now be carried on under the provisions of the Urban Mass Transportation Act of 1966. The act authorizes up to $175 million a year in grant funds for fiscal 1968 and subsequent years. This is but a small increase over the present authorization of $150 million a year for fiscal 1966 and 1967, although the provision for continuing authority provides some assurance to our cities that this is a long-range program. City officials may be encouraged to move ahead with long-range systems development and planning if Federal aid is not limited to a specified time period.

Another aid to planning in this bill is contained in section 5. This section would amend the 1964 act to authorize Federal assistance for detailed system and project planning. This type of planning would carry one step further the mass transportation planning now included under the comprehensive urban planning program authorized by section 701 of the Housing Act of 1954. It would provide the specific information needed to inform officials, and the public as well, as to the costs and probable results of transportation proposals. As we know, grants are only as effective as the programs they finance. Federal funds will be better spent after more extensive planning at the local level.

An important section of the bill is section 4, which calls for the investigation of new methods of urban transportation. The Secretary of Housing and Urban Development, consulting with the Secretary of Commerce, would be directed to prepare a program of research, development, and demonstration of new methods of urban transportation. A report on the program, together with any recommended legislation, would be submitted to the President within 18 months of enactment of this bill. It is anticipated that such a program would concern itself with all aspects of new urban transportation systems for metropolitan areas of various sizes and would provide national leadership in this field.

The proposed new program of research would tend to counteract the present built-in bias toward traditional systems. Our present systems have been allowed to deteriorate so badly, and the need is so urgent to bring about some improvement, that there is a tendency to use the very limited Federal funds available to shore up existing systems. New York City, for example, has received a $23.4 million capital grant for 400 new cars for its subway. Other cities have received capital grants to help buy new equipment for their bus companies. This investment in new equipment is certainly needed, but it does not represent any real breakthrough in design or system concepts. Even San Francisco's new $1 billion rapid transit system, which has received Federal aid in the form of both capital and demonstration grants, does not involve any really radical departures from existing rail transportation.

Perhaps a new program of research will ultimately bring the dawn of a new era in the movement of people in our cities. I hope so, but such hopes are undoubtedly in vain unless we begin to revise our thinking on the scope of what needs to be done in our cities. In this regard, I am compelled to point out that this bill, while a step forward, is but a very small step. It does nothing to really balance the transportation networks of our cities. Compared to the billions of dollars in Federal aid available for roadbuilding, the funds provided in this bill are insignificant.

Under this mass transportation bill, because of the 12.5-percent limit on funds which may go to any one State, the maximum which New York State could receive would be $21,875,000 a year. Of course, New York City would receive less than this. I can hardly foresee a dramatic improvement for the riders of New York's transit system as a result of this legislation.

A very small city might conceivably have its one busline rejuvenated with the amount of Federal aid provided, but our huge, sprawling metropolitan centers can only receive peripheral help. There is a need for sufficient Federal aid to develop sophisticated new transportation systems.

Only such systems, combined with imaginative new housing, more and better schools and recreational opportunities, can save the people in our large cities from a late 20th century version of life in the Dark Ages. Surely it was possible to travel at a quicker pace through the streets of medieval cities than through midtown Manhattan today.

Therefore, although I support the Urban Mass Transportation Act of 1966, I contend that it does not go far enough. It does not provide enough funds, and the funds that are provided are subject to arbitrary limitation. To correct the latter problem, I have introduced legislation (H.R. 12823) which eliminates the 12.5-percent limitation. To augment the available funds, I have also introduced a bill (H.R. 12852) which would permit a State to use revenues from the highway trust fund for mass transit purposes. It would provide additional funds for crucially needed mass transportation without adding one dollar to the President's budget.

As I said at the beginning, neither does H.R. 14810 do anything toward alleviating the operating expenses of our mass transportation systems. Many commuter lines—including subways such as in New York and Boston—have proven their inability to finance their operations merely out of fares and revenues. They need direct cash grants to keep operating, grants well beyond the financial resources of our cities. I have therefore introduced H.R. 12850, which would allow the Federal Government to underwrite a major portion of the operating losses of any transportation facility which provides commuter services in a metropolitan area. Such legislation faces up to the real financial problems of urban mass transportation—a challenge avoided by the present legislation.

Under this proposal, grants, which would be on a two-thirds, one-third matching basis, would be available to public transportation authorities which have broad responsibilities for maintenance of commuter transportation. There are no objective reasons why Federal aid for mass transit should be limited only to subsidizing capital improvements. It is very artificial to draw clear-cut lines between Federal responsibility to aid in financing the purchase of new equipment and Federal assistance in underwriting operating deficits. Operating expenses are all part of the costs of running a commuter system, and the system has to be preserved, regardless of cost. How can a line that is about to fold take advantage of Federal funds for capital improvements if it cannot meet its payroll or continue to sustain even the most marginal kind of service?

Mr. Chairman, the legislation we are considering today is basically sound and should be quickly enacted. It is a step forward in the program of Federal aid to urban mass transportation. The new planning and research provisions are well conceived.

The program is still hobbled, however, by inadequate funds. Speed and massive action is needed to help our great metropolitan areas keep ahead of growing population pressures which are creating intolerable traffic congestion. I hope that we will soon have the opportunity to vote for complementary measures which will allow this program to spurt ahead in our large cities.

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Chairman, I wish to rise in support of this bill with the hope that in years to come we will assist the cities far more effectively in meeting their need for cheap, efficient, comfortable mass transit.

Mass transportation is no longer a problem of interest only to experts and technicians. Events of recent months have dramatized that the problems of mass transportation have the most sensitive and explosive implications for

the health and vitality of our urban communities and for the viability and soundness of our human and intergroup relations.

The McCone report on the Watts riots of last year made it clear beyond doubt that the absence of cheap, swift mass transportation which could get workers to where the jobs are, was one of the basic causes of the alienation and frustration which led to that explosion of rage and bitterness.

The cessation of operations of the New York City subway system in recent months has heightened our consciousness of how indispensable mass transit is to all of us, but most especially to the low-income groups in our community who do not have options—who do not have viable alternatives.

It seems a manifold injustice that in the same year in which transit fares in New York City have been substantially raised by government fiat, in effect imposing a regressive tax on the poor, we should have eliminated luxury taxes on expensive leather luggage, jewelry, furs, and foreign cars.

New York City has received only a fraction of the several hundred million dollars which New York State, under the Rockefeller administration, has tendered to our commuter rail system serving prosperous residents of affluent suburbia. We must have adequate, comfortable commuter transportation for those who live outside the confines of our cities but who make their livelihoods in the cities and contribute to the economic health of our cities.

But certainly we have no lesser need for adequate mass transportation which meets the needs of our urban population. And, to date, the efforts of the Federal Government, as well as the States, in aid of urban mass transportation, have been pathetically inadequate to the need.

Our urban centers are in desperate need of comprehensive planning which will integrate both the physical plans and financial and rate structures of our commuter railroad, bus, bridge and highway systems, with our urban mass transport systems.

If a fraction of the long-term planning, as well as the Federal financial aids invested in our highway system were devoted to the planning and financial needs of our mass transit, there would be a rapid improvement in the way of life not only for our urban working population which depends almost exclusively on mass transit, but indeed for all of our urban population whose daily lives inevitably depend directly or indirectly on the availability of efficient, cheap mass transit.

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from Connecticut [Mr. GRABOWSKI].

Mr. GRABOWSKI. Mr. Chairman, I rise, in support of this legislation.

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from Hawaii [Mr. MATSUNAGA].

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 14810, a bill to authorize further grants for technical studies and to provide for an expedited program of research, development, and demonstration of new urban transportation systems.

Mr. Chairman, the problems of mass transportation continue to plague our large cities, and even our little ones. It is paradoxical that modern man, equipped with the fastest means of transportation ever known to man, finds himself bogged down, at least twice a day in most of the cities of our technically advanced country in traffic jams, and traveling at a rate slower than one on horseback. If we are to escape the entrapment of our own creation—the explosive growth of the number of automobiles on our highways—we must continue to search for solution in mass transportation.

The bill under consideration will provide a continuance of the step in the right direction which was initially taken in the 88th Congress. I am proud that I participated in that bold and imaginative action when the Congress passed the Urban Mass Transportation Act of 1964. A good start in a worthy program has been made. Let us today provide for a continuance of that program.

Mr. TALCOTT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. TALCOTT. Mr. Chairman, mass transportation is a serious domestic problem that cries out for solution. But a Federal solution is not always the best solution.

I point out again that the Federal revenues collected primarily from personal and corporate income taxes, are not an appropriate source for financing local urban transportation systems.

A few large cities which neglected their transportation needs for many decades are now asking all U.S. taxpayers to pay their obligations.

Mass transportation systems enhance the local property values of the local property owners and local businesses. Local sales tax, local property tax and the coin box are the appropriate methods for financing local massive transportation systems.

If local officials—if State legislators—would get hold of their courage and levy the necessary income taxes for education purposes, as one example only, there would be ample local property sources to finance local services.

The income tax is the appropriate source for financing education—there is a correlation between income and education, and vice versa.

Services which enhance local property values should look to local property and sales for tax support.

There is little correlation between the income taxes paid by individuals and corporations throughout the United States and any benefit they could possibly receive from local transportation subsidies.

I suggest that local officials with transportation ills revise their tax systems and methods so that the taxes exacted from their citizens are more related and more equitable to the services which they want to provide for their citizens.

Here, in an era of accelerating inflation, we should be concerned about the extraordinary spending of the Federal Government—especially when the Federal Government is spending more than it is taking in.

For the reasons that the source of revenues is inappropriate and inequitable and that the proposed authorization exceeds the President's budget, I must oppose this bill. These problems deserve better solutions. The U.S. taxpayer deserves better consideration.

Mr. PATMAN. Mr. Chairman, as I told the House yesterday during debate on the FNMA bill, our esteemed and able colleague the gentleman from Pennsylvania, Congressman WILLIAM A. BARRETT, chairman of the Subcommittee on Housing, cannot be present because of the unfortunate death of his brother. Otherwise I know he would deeply want to be present here today to support the mass transit bill. His Housing Subcommittee held extensive hearings on the subject and reported an excellent bill to the full committee. Mr. BARRETT asked me to urge his colleagues to support this legislation so vitally needed by our cities, large and small, to help them cope with the staggering problems of mass transportation which are besetting our cities and towns.

Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BARRETT] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. BARRETT. Mr. Chairman, the urban mass transit bill is urgently needed to continue the very important program of Federal aid to meet the needs of towns and cities of every size and in every part of the country. As the chairman of our committee has stated, the widespread support for the bill was shown by our favorable vote of 11 to 0 in the Subcommittee on Housing and 29 to 1 in the full committee. Moreover, testimony we received in the course of 4 weeks of hearings before the Subcommittee on Housing on this and other housing and urban development legislation shows that the program has broad support throughout the country. It is wholeheartedly endorsed by mayors, labor, and private mass transit operators as well.

This bill is needed to extend the authorization of the original 1964 act, which was limited to 3 years. The principal provision is the authorization for appropriations of up to $175 million annually. This section was taken from the bill introduced by our ranking minority member, the gentleman from New Jersey [Mr. WIDNALL]. I would like to say that his strong support for this program has been very important to its success.

Because of the necessary leadtime for planning and development in an industry like mass transit, it is important that funds be made available as soon as possible. In recognition of this, the Committee on Appropriations has cooperated fully and has appropriated funds a year in advance. As a result, funds have already been appropriated for 1967 but what is needed now is an authorization for fiscal year 1968 to carry out the President's request for an appropriation to cover that year so that the business of planning and development can go ahead right now even though the actual expenditure will not be made until later.

Basically, the bill continues and provides additional funds for the urban mass transit program which was first established in the Urban Mass Transportation Act of 1964. Under that program, Federal partial grants are provided to assist local governments in financing the capital facilities and equipment needed for the extension and improvement of comprehensively planned urban mass transportation systems. The Federal grant can cover up to two-thirds of net project cost—that part of total cost which cannot be financed out of revenue. While these grants naturally can go only to public bodies, the equipment and construction can and in nearly all cases is used to aid privately owned systems through leasing arrangements.

Mr. Chairman, the 1964 Mass Transportation Act authorized a level of $150 million for this program in the current fiscal year. The modest increase to an annual rate of $175 million beginning in fiscal 1968 is well justified by the increasing activity in this field. During fiscal 1965, mass transit projects amounting to $51 million were approved and during the past year, this jumped to $106 million. On June 30 of this year, the Department of Housing and Urban Development had a backlog of 40 applications under review totaling $108 million. Undoubtedly, the rate will continue to rise because the need is great.

It is little short of amazing how an industry as vital as local mass transportation was so long neglected. In recent years, there has been an actual decrease in the number of riders in spite of our expanding urban population. Most of the decrease appears to have come during off hours, while the number of people dependent on mass transit to get to and from work has held up. However, the effect on transit revenues has been significant and the industry has been hard put to invest in the most modern and efficient equipment and to maintain adequate service which is necessary to attract riders. The modest margin of assistance provided under this program is serving to revitalize local transit systems, not only for the benefit of those who actually ride our buses, subways and commuter trains, but for the benefit of everyone who travels in and around our cities.

The program also has a broader benefit in that a healthy transit system is vital to community development and, particularly, to maintaining our tremendous investment in downtown areas. If our other efforts to rebuild our cities through housing and urban development programs are to succeed, it is vital that the local transportation system be efficient and up to date.

While the use of private passenger cars will continue to increase, we cannot rely on them to meet all of our transit needs. Already fully half of the land area of some of our major cities is devoted to moving and storing cars. This involves a tremendous cost and loss of local tax revenues. Also, these drivers will share in the benefits of efficient mass transit through lessened traffic congestion. Moreover, not everyone has the alternative of his own automobile because of age, income or physical handicap. For these people, mass transit is a necessity.

Mr. Chairman, for all of these reasons, I urge all of my colleagues to vote in support of H.R. 14810, the urban mass transit bill.

Mr. FRASER. Mr. Chairman, I am pleased to speak in support of H.R. 14810, the Urban Mass Transportation Act of 1966, as reported by the House Committee on Banking and Currency. The committee, under the able leadership of its chairman, has reported a bill which should help the cities establish a more balanced and efficient transportation system.

I have long felt that the Federal Government has provided outstanding assistance to the State and local governments for building roads, but we have neglected the great mass transportation needs of our large cities. The bill we are voting on today, along with the original Mass Transportation Act of 1964, is a necessary step in redressing the imbalance between automobile and mass transportation in the cities.

I am particularly interested in section 4 of H.R. 14810. This section authorizes the Secretary of Housing and Urban Development to prepare a program of research, development, and demonstration of new methods of urban transportation. Last year I, along with several other Congressmen, introduced a bill to provide for this. I am pleased that the committee has incorporated my proposal in section 4 of the bill before us today.

There is a great need for research and evaluation of radically improved methods of transportation that are being proposed and developed. I hope that this section will give new impetus to transit development, and that we can achieve our aim of breakthrough results within 5 years, as stated in the committee report.

Mr. Chairman, the Council of Metropolitan Area Leagues of Women Voters has just issued a very valuable study on transportation in the Twin Cities of Minneapolis and St. Paul. The study was prepared by the transportation committee of the league. The chairman, Mrs. Milton Hughes, and her fellow committee members spent hundreds of hours in research to provide information on the transportation needs of the Twin Cities metropolitan area.

One part of their study is of particular importance to the research and development of mass transportation systems. This part of the study lists the modes of mass transportation, and I include it at the end of my remarks:

MODES OF MASS TRANSPORTATION

Discussed below are existing modes of mass transportation, one or more of which are in use in many areas, and new methods, or new slants on old methods, for mass transit. Among them are modes suitable for shuttle service within a city, and for transportation within a metropolitan area.

Motor buses are the most commonly used form of mass transit. They run on existing streets and highways. Some lines serve as feeders to rail rapid transit. Travel through congested areas and frequent stops cause bus service to be slower than autos. To increase speed, some cities have express buses operating along city arterials and on freeways and have reserved transit lanes in downtown areas.

Rail rapid transit is an electric railway for passenger service which runs on tracks above or below ground. It commonly serves urban areas within six to eight miles of the center city, makes stops every one to two miles, and is principally fed by local bus service and outlying parking lots.

Commuter trains provide high speed service for large numbers of passengers. They serve suburban areas 30 to 40 miles from the center city, are usually owned by a private railroad, make stops every three to five miles, and are fed by walkers, autos, and occasionally by feeder buses.

Monorail began its first trial operation in this country along a 970 foot line in Houston, Texas, early in 1956. Passenger cars move on a single rail. The first monorail train was installed in Wuppertal, Germany, some sixty years ago. It offers no advantages over trains.

Westinghouse Transit Expressway is based on the use of lightweight automated vehicles operating singly or in trains. It uses rubber tired vehicles resembling a bus and runs on a roadway composed of two concrete tracks which may be an aerial structure, on the ground, or in a subway. The train can operate at 50 m.p.h. Westinghouse has built a demonstration expressway near Pittsburgh, Pennsylvania.

Electronically Controlled Bus. An experimental model has been manufactured by the Flexible Company, Loudonville, Ohio, and Barrett Electronics Corporation, Northbrook, Illinois. Operated by a regular driver, this bus would start out in suburban areas. After collecting its passengers, it enters an expressway where it is coupled with other buses into a continuous bus-train which moves to the city at high speed on electronic guides embedded in the pavement. This system eliminates the need for transferring from private car or bus to other rapid transit and the time losses which such transfers entail.

The Commuter Piggyback, a concept of the Pullman Company, proposes that buses, after collecting passengers in suburbia, be loaded on trains without requiring passengers to leave the buses.

The Jet Skimmer is an air cushion vehicle accommodating fifteen passengers which travels on both land and water on a four foot thick air cushion. It went into service in August, 1965, making ten trips daily between the Oakland and San Francisco airports and downtown San Francisco, thus eliminating a long trip by freeway. The operation is under the sponsorship of the Port of Oakland, in cooperation with SFO Helicoter Airlines Inc. and Textronics Bell Aero-Systems Company. It is assisted by a grant from the U.S. Housing and Home Finance Agency.

The Uniflow Berggren Mass Transit System, developed by a Minneapolis engineer,

would utilize a vehicle accommodating up to 20 passengers which would float .15 to .25 inches above the surface of a duct containing air jets which would lift and propel the vehicle at speeds of 30 to 60 m.p.h. The vibrationless, frictionless, and silent vehicles would run inside a tube ten feet wide (for two-way traffic) above, on, or below the ground. Each car could be separately programmed to offer nonstop service from any point of origin to any destination with a minimum distance between stations of 1,200 feet. Smaller vehicles accommodating six passengers would require a tube less than three feet wide (for one-way traffic) and could operate in existing freeway medians. Cost estimated for on or above grade service is $2 million to $4 million per mile.

The Teletrans system uses four passenger electrically powered cars which travel in tubes and are controlled by a computer. Travel is non stop at 45 m.p.h. to a destination selected by depositing an IBM card in a slot. A one mile demonstration line will be built in downtown Detroit in 1966 by the Teletrans Corporation of Detroit, Michigan.

Hovertrain, now operating in Hythe, England, rides on a one-half inch cushion of compressed air generated within the train. Its track is a concrete trough. Potential speds are 300 to 400 m.p.h.

Walk on-walk off conveyors (escalators and conveyor belts for pedestrians), are fully automatic, operate unattended, and handle passengers in a continuous process. They are used to move people between floors of buildings, along sloping walkways, and from place to place in some airport terminals. Escalators are much more common than conveyor belts, although the latter are simpler and are perhaps slightly faster. Low speeds (up to 3 m.p.h.) make these devices relatively unattractive for service on level walkways.

The vehicular conveyor consists of booths with seats mounted on a conveyor belt. A short length of this type of conveyor was built in New York City in the 1800's. It was used as a pleasant way to sightsee and to transport people between two points of interest. A modern example is the "Carveyor," the trade name of a mass transit system developed by Stephens-Adamson Manufacturing Company and the Goodyear Tire and Rubber Company. It was originally envisaged for the shuttle line betwen Times Square and Grand Central Station in New York. Because this system operates with a minimum of personnel, it was opposed by the transportation union and thus never installed. It can attain speeds of 15 m.p.h. and, with further development, may be able to operate at speeds up to 50 per cent greater.

The helicopter as a form of mass transit is primarily used to transport people between downtown areas, between airports, or between downtown areas and airports. Extended use is limited because of the noise, size, and cost.

Mr. EDWARDS of Alabama. Mr. Chairman, on page 2 of the committee report—House Report No. 1487—there is an indication that we have $55 million in carryover funds for this program.

It says the 1964 act provided a 3-year authorization totalling $375 million in Federal grants, but that the amount appropriated for that period totals $320 million—$60 million for fiscal 1965 and $130 million each for fiscal 1966 and 1967.

Evidently, then, if we approve a bill authorizing a total of $325 million for 2 years, as this bill provides, we actually are approving the availability of $380 million.

The President has wisely asked that we restrict spending in this critical time of an overheated fiscal condition. We will be making a real mistake if we proceed with the authorization as provided in this bill.

The authorization should be reduced at least to a level of $125 million for each fiscal year, 1966 and 1967. With the $55 million in carryover funds, the total availability will be $305 million.

This total would be a more nearly responsible figure for us to approve.

Mr. Chairman, I recognize the need for attention to be given to the problems of traffic congestion in our large cities. I also recognize the need for fiscal responsibility in our handling of legislation.

The House will also be presented soon additional legislation affecting metropolitan areas including mass transportation—the bill proposing demonstration cities and metropolitan development districts. The costs of these programs are also extremely vague—virtually unknown.

Mr. Chairman, when we in this body act so irresponsibly as to authorize funds over and above a bare minimum in a time of national fiscal tension such as this, we totally forfeit our right to ask that anyone in the Nation show responsibility, whether it be management and labor, or the administration.

Mr. FOGARTY. Mr. Chairman, I wish to record my unqualified support for H.R. 14810 as reported by the committee.

The extension of the Mass Transit Act, as provided by this bill, is a most necessary step that must be taken to assure the continuation of this most valuable program. We from New England have a special interest in this program and a special appreciation of its merit since the New Haven Railroad, which services my district, benefits from the $3 million mass transit demonstration grant. Although this grant supports the New Haven's west end commuter service, it in effect helps to keep the railroad alive during the present difficult period of transition, and thus benefits the whole service area of the New Haven, including my State.

I note with some concern that the other body yesterday reduced its own committee recommendations for funding of these valuable programs from the proposed $225 million annual amount to $150 million annually, which has been the amount allowed heretofore. For this reason, I hope that the House will allow the modest increase to $175 million proposed by our own committee.

I am especially interested in the provisions of the pending bill which make allowance for new programs of research and development into new concepts of urban transportation and also support grants for planning and for comprehensive review of new programs by the Secretary. These are the features of the pending bill that will permit the program to be much more forward-looking and will help it to meet the needs of the future.

In this respect the pending bill complements the excellent program enacted last year under the High Speed Ground Transportation Act, which was passed largely through the efforts of my colleague in the other body, Senator CLAIBORNE PELL of Rhode Island. That legislation also finances a far-reaching program of research and development that can lead to a whole new generation of high-speed ground transportation equipment. It also finances the construction of new railroad equipment to be used in consumer demonstration tests beginning next year. I dare say that some of the features of the bill before us today would not be there if it were not for the new perspectives that were opened as a result of Senator PELL's outstanding work and initiative in this field.

Mr. FASCELL. Mr. Chairman, I support the Urban Mass Transportation Act of 1966. It is a measure that serves a continuing and pressing need in our urban centers—the need for transportation for all of our citizens.

Many Americans find that the automobile is the answer to their transportation requirements. It is convenient; it is private. Yet we must remember that not everyone can drive, and not everyone can afford an automobile.

Miami, for example, has many senior citizens who must depend upon public transportation. Many workers, particularly women workers, would not be able to get to their jobs without bus service. This is true in almost all of our cities.

Therefore, we cannot let urban mass transportation falter. We must help provide the public support that is necessary to insure transportation for all.

Furthermore, with increasing population pressures, more and more Americans will find that driving to work is increasingly expensive and time consuming. We must plan ahead to avert traffic bottlenecks by diversifying the transportation alternatives in our cities.

The metropolitan area of Miami has increased 14 percent in population between 1960 and 1965. We are now over the million mark. By 1985, the Dade County Planning Department estimates that we will have close to 2½ million residents.

Similar figures are projected for many areas, particularly in growing south Dade. Intolerable traffic congestion is inevitable unless we both continue our roads program and also use these rights-of-way for transit vehicles. Transportation chaos will stifle growth and substantially reduce economic benefits and potential.

The bill we are considering today provides only a modest increase in the urban mass transit program, and cities throughout the Nation are applying for vital assistance. I urge that we enact this legislation and thus demonstrate our continued support for a balanced transportation network for our urban areas.

Mr. FINO. Mr. Chairman, I rise in opposition to the proposed motion to recommit. While I sympathize with the great need to trim spending during this period of war and inflation, it seems to me that there are better places to make the cut.

Mass transit is one thing that the cities need badly which does not come loaded with either Federal control or

padded Federal payrolls. Mass transit money is money spent well. I am in favor of economy, but let me make a suggestion as to where Congress might find a lot more fat to carve off the budget. I refer to the poverty program.

Why cut $25 million off this good, unpolitical program when the $1.8 billion a year poverty program, a veritable bonanza of waste, is available to be cut? Let me suggest that we leave the $25 million in the mass transit program and slash $250 million from the poverty program. That will be 10 times smarter and 10 times more profitable.

After all, there must be plenty of fat in a poverty program that can afford to subsidize LeRoi Jones' "Black Arts Repertory Theater"—which the police raided this spring, only to discover a black nationalist arsenal.

The mass transit program is a good program. I hope the House will not make it pay for the trouble sowed by programs like the poverty program. Let the poverty program pay directly.

Mr. SICKLES. Mr. Chairman, 2 years ago Congress, by enacting the Urban Mass Transportation Act of 1964, inaugurated a program to help the cities cope with their crippling public transportation problems. The legislation before us today enlarges and improves upon this program in recognition of the increasingly urgent needs of our metropolitan areas for adequate transit systems.

The Urban Mass Transportation Act of 1966 provides a three-pronged attack on the urban transport problem through a grant program for the constuction of transit facilities, through research and development into new types of urban transport, and through assistance for the planning, engineering, and design of urban transportation projects.

The coordination and leadership in all three of these areas is desperately needed by all the major cities in this Nation, and most of the medium-sized ones. Individual cities have neither the funds nor the other resources needed to initiate and carry out the drastic overhauls in transit systems required to prevent their self-strangulation. Many metropolitan areas, including the very largest, have relied almost exclusively on highways to serve the hearts of their cities. All too often, such a policy has threatened to make over these cities into gigantic, continuous traffic jams which have become the bane of every urban dweller's existence.

Those who run these cities are not entirely to blame for the dominance of highways in urban areas. The interstate highway program and other Federal road programs have been so attractive that city governments cannot neglect to take advantage of them. It was only 2 years ago, almost 10 years after the inauguration of the interstate highway program, that the Federal Government recognized it also had a responsibility in the area of public urban transportation.

By passage of the legislation pending today, we reassert our conviction to squarely meet this responsibility.

Let me describe in more detail how the program proposed in this legislation will work, because it is important to understanding direction in which Federal programs for the support and improvement of urban transportation systems probably will move.

First, the construction grant program. The proposed measure puts this program on a permanent basis. It also increases the total authorization for Federal construction grants by $25 million to a new annual maximum of $175 million. The installation of adequate transport facilities in our urban areas call for terrific capital expenditures, just as the construction of roads are very expensive propositions. City governments, or even metropolitan area governments, cannot be expected to finance the construction of transit facilities. By putting the construction grant program on a permanent basis we are recognizing the need in this area for continued help by the Federal Government.

Second, is the program of research and development of new systems of urban transportation. The present bill continues the modest proposal of $10 million annually to run demonstration tests of new features of existing transit systems. But it only continues this authority for 2 more years, by which time the Department of Housing and Urban Development, which administers this program, is required to have formulated a full-scale research program to develop new systems of urban transport.

Today, our urban transportation systems are relics of a bygone technological era. With few exceptions, the systems we now use are variations of the bus or the trolley, both of which were designed and developed decades ago. They do not really reflect the technological sophistication and genius of which we are capable today. The proposed research program would be designed to close this "technological gap" and bring our urban transit systems fully into the space age. While we do not yet know what this research and development will bring us, there are some hints off on the horizon. Basically, those who are experts in interpreting the images revealed by the transportation crystal ball speculate that the urban transport vehicle of the future will be one with most of the advantages of the automobile and few of the disadvantages. In short, it will be a form of individualized transportation that will be ready to leave when you want to leave, take you directly to your destination without stops or transfers along the way. And it will not get you caught in traffic jams, or make you cough from exhaust fumes.

Finally, the third prong of the 1966 attack authorizes Federal grant assistance for preparing mass transportation project surveys, plans and other preliminary activities for the construction or improvement of urban transportation facilities. This phase, of course, is extremely important if we are to have sensible, coordinated, efficient, and effective systems of transportation in our urban areas that incorporate the best features of roads, rails, air and other types of transport.

Therefore, I strongly urge passage of H.R. 14810 today.

Mr. PUCINSKI. Mr. Chairman, I rise in support of the urban transportation bill because I consider it one of the most important pieces of legislation ever passed by Congress.

This measure will have a profound effect on the future development of my congressional district.

Earlier this year, the people of Chicago approved a $27 million bond issue to provide one-third matching funds for the money we hope to get from the Federal Government to expand our rapid transit system in Chicago.

If the measure before us is approved, and I sincerely hope it will be, Chicago will apply for approximately $50 million in Federal assistance; and we have every reason to believe this much-needed help will be forthcoming.

This money will be used to extend the Logan Square elevated into the median strip of the Kennedy Expressway to Central and Foster, and ultimately to at least Cumberland Road.

The CTA expects to get started on this project almost immediately and hopes to have the entire project completed by the end of 1968 or early 1969.

When completed this rapid transit extension will make it possible for any one of my constituents on the far northwest side of Chicago to get to the Loop in no more than 30 minutes from any location.

This legislation also makes possible the extension of the rapid transit system into the Dan Ryan Expressway and will also make funds available for the renovation of the rapid transit depot at Kimball and Lawrence.

I urge my colleagues to support this very important legislation which will help America's large cities and small cities free themselves of the transit strangle which they are now all suffering.

Mr. FRASER. Mr. Chairman, in connection with the Urban Mass Transportation Act of 1966 I would like to bring to the attention of the Members a vigorous campaign being waged in Minnesota. This campaign is taking place in the seven-county Twin Cities metropolitan area in and around Minneapolis and St. Paul.

The campaign advocates modern rapid mass transportation and opposes more freeways. It is under the sponsorship of the Fifth District Minnesota Federation of Women's Clubs, with Mrs. E. Hane Carlson and Mrs. A. E. Bowman serving as codirectors of the campaign.

The efforts of Mrs. Carlson and Mrs. Bowman and their fellow workers have aroused a strong civic interest in mass transportation. Full information and campaign materials have been furnished to local, State, and Federal officials, committees, commissions, and civic groups. The campaign is primarily directed at furnishing information to the people of the Twin Cities area, urging them to make their preferences for mass transportation known to their elected officials. I have received many communications from constituents who have been inspired by this campaign.

The directors of the campaign believe that in too many metropolitan areas the

citizens have been told that in order to get a modern rapid mass transit system sometime in the future, they must agree to accept all proposed freeways. This solution is then called "balanced transportation." The directors contend, however, that practically no modern transit has been built throughout the country, while great numbers of metropolitan freeways have been built, with resultant car chaos, urban sprawl, and air pollution—but no transportation solution. The directors want to turn the situation around and put the primary emphasis upon adequate, modern mass transit before additional freeways can be built.

In their campaign, the Fifth District Women's Clubs quote the views of nationally recognized experts, such as Morris Ketchum, Jr., president of the American Institute of Architects:

Highways are being built through cities blindly . . . with disastrous results.

Mr. Ketchum resigned in protest as a Government adviser on highway design.

Also used in the campaign are statements of Reginald Issacs, a Harvard University regional planning professor:

If things are not to go clunk one day and halt, use of private cars will have to be reduced in the city center . . . freeways will be saturated soon after they are completed, and mass transit must be devised.

Also furnished to the people in this campaign are the views of I. M. Pei, the noted architect and planner:

A city to be great needs heart . . . the new cities of the Southwest, built after the car and its mobility, are in real trouble. Their centers are usually scattered, separated from each other by freeways. They must bring life back to their main centers—build apartments in their downtown so that there will be life after dark to nourish the cultural and business life of the city.

Also covered in the campaign material are air pollution, health hazards, the cost factor, and the effect on neighborhoods.

Civic leaders in other urban areas throughout the country who are interested are invited to write Mrs. A. E. Bowman, 2642 Burnham Road, Minneapolis, Minn., 55416, for the campaign materials being used in the Twin Cities area.

Through the passage of the Mass Transportation Act of 1966 and future legislation, I hope that Congress will place increasing emphasis upon rapid mass transit so that people in urban areas will have an effective choice between metropolitan freeways and mass transportation.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 14810

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Urban Mass Transportation Act of 1966".

SEC. 2. The first sentence of section 4(b) of the Urban Mass Transportation Act of 1964 is amended by striking out "and $150,000,000 for fiscal year 1967" and inserting in lieu thereof "$150,000,000 for fiscal year 1967; and $175,000,000 for each fiscal year thereafter".

SEC. 3. Section 6(b) of the Urban Mass Transportation Act of 1964 is amended by striking out "and to $80,000,000 on July 1, 1966" and inserting in lieu thereof "to $30,000,000 on July 1, 1966, to $40,000,000 on July 1, 1967, and to $50,000,000 on July 1, 1968".

SEC. 4. The Secretary of Housing and Urban Development shall, in consultation with the Secretary of Commerce, undertake a study to prepare a program of research, development, and demonstration of new systems of urban transportation that will carry people and goods within metropolitan areas speedily, safely, without polluting the air, and in a manner that will contribute to sound city planning. The program shall (1) concern itself with all aspects of new systems of urban transportation for metropolitan areas of various sizes, including technological, financial, economic, governmental, and social aspects; (2) take into account the most advanced available technologies and materials; and (3) provide national leadership to efforts of States, localities, private industry, universities and foundations. The Secretary shall report his findings and recommendations to the President, for submission to the Congress, as rapidly as possible and in any event not later than eighteen months after the date of enactment of this Act. There are authorized to be appropriated such amounts as may be necessary for its preparation.

SEC. 5. (a) The Urban Mass Transportation Act of 1964 (as amended by this Act) is further amended—

(1) by redesignating sections 9 through 12 as sections 10 through 13, respectively; and

(2) by inserting after section 8 the following new section:

"GRANTS FOR TECHNICAL STUDIES

"SEC. 9. The Secretary is authorized to make grants to States and local public bodies and agencies thereof for the planning, engineering, and designing of urban mass transportation projects, and for other technical studies, to be included, or proposed to be included, in a program (completed or under active preparation) for a unified or officially coordinated urban transportation system as a part of the comprehensively planned development of the urban area. Activities assisted under this section may include (1) studies relating to management, operations, capital requirements, and economic feasibility; (2) preparation of engineering and architectural surveys, plans, and specifications; and (3) other similar or related activities preliminary to and in preparation for the construction, acquisition, or improved operation of mass transportation systems, facilities, and equipment. A grant under this section shall be made in accordance with criteria established by the Secretary and shall not exceed two-thirds of the cost of carrying out the activities for which the grant is made."

(b) Section 3(c) of such Act is amended by striking out "section 10(c)" and inserting in lieu thereof "section 11(c)".

Mr. FINO (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. FINO

Mr. FINO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINO: On page 4, after line 6, insert two new sections as follows:

"SEC. 6. The Urban Mass Transportation Act of 1964 is amended by striking out section 13 (as redesignated by section 5 of this Act).

"SEC. 7. Section 3 of the Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new subsection:

"'(d) In providing financial assistance under this Act, the Secretary shall give priority to the urgency of the need existing in the Nation's largest cities with high population density, while assuring the widest possible distribution of such assistance among the States'."

Mr. FINO. Mr. Chairman, the purpose of this amendment is to remove from the Mass Transportation Act the limitation by which only 12.5 percent of the yearly expenditures can be made in any one State.

Mr. Chairman, I urge this House to think for a moment about New York City. It is the heart of a tristate region, made up of New York, New Jersey, and Connecticut. Yet New York City is restricted insofar as the money it can receive is concerned by the fact that it is located within one State.

Mr. Chairman, clearly the mass transit program is a program for big cities. It should not be so restricted that the individual big-city States can only get "small potatoes" assistance from this program.

Mr. Chairman, of all the Nation's cities, New York has the most clearly defined mass transit needs which will never be dealt with adequately under the mass transit program as it is presently structured.

Mr. Chairman, I do not think that it is unreasonable to strike the 12.5-percent limitation so that New York City can obtain a fair share of the mass transit money, as befits the tristate hub of the greatest urban complex in the world.

Mr. Chairman, as I said before, mass transit is an urban program. It is a program for big cities. It should not be unduly restricted so that its impact in the key big cities is negligible.

Mr. Chairman, let me stray for a moment. Let me talk about the cotton support program. It is for the Deep South. Do we have a 12.5-percent limitation upon the amount of funds that can go into the Mississippi River Valley? We do not. We do not because such a restriction would cripple the economic thrust of the program. It would keep this program from working in the South.

Mr. Chairman, the 12.5-percent limitation contained in this program has kept the mass transit program from doing what it should in our several large cities. I urge that we change it, and make it more realistic.

Mr. WELTNER. Mr. Chairman will the gentleman yield?

Mr. FINO. I shall be very happy to yield to the gentleman from Georgia.

Mr. WELTNER. Would, in the gentleman's opinion, the sum of $175 million a year be adequate with which to meet the transportation needs of New York City?

Mr. FINO. Would 12.5 percent of that amount be adequate?

Mr. WELTNER. No, if the gentleman will yield further, the amount of $175 million for the next 3 or 4 years. Would that be adequate with which to meet the needs of New York City?

Mr. FINO. That amount would be substantially helpful; yes, it would.

Mr. WELTNER. Mr. Chairman, if the gentleman will yield further, am I correct in believing that there would be nothing contained in this section which would prohibit the Secretary from allocating every penny of the funds appropriated under this legislation to New York City; is that not correct?

Mr. FINO. Mr. Chairman, I know that the gentleman from Georgia knows full well that the Secretary in exercising his discretion, will not allocate the entire amount authorized for appropriation, although he would not be limited to the 12.5 percent, or 15 percent, or something more adequate.

Mr. WELTNER. Mr. Chairman, if the gentleman will yield further, under the statute as written, assuming that the gentleman's amendment is passed, there would be nothing to prevent the Secretary from allocating every penny of the funds appropriated under this authorization to the city of New York?

Mr. FINO. The gentleman is correct, but I am sure that the Secretary, in whom I have great confidence, will not abuse that discretion.

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

Mr. FINO. I am happy to yield to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, do I understand the gentleman from New York to say that $175 million would take care of the additional needs of the city of New York for transit purposes?

Mr. FINO. No, sir; it would not take care of them, but it would help to take care of many of the problems which now exist in New York City.

Mr. MULTER. Of course, you have in mind the fact that the annual New York City deficit just on the city-owned transit system amounts to some 80-odd million dollars a year.

Mr. FINO. Exactly. I mentioned that earlier today in debate.

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

Mr. FINO. I yield to the gentleman.

Mr. GROSS. Mr. Chairman, that would depend, too, on whether the transit workers decided to work, would it not?

Mr. FINO. I thank the gentleman for his contribution.

Mr. Chairman, I do not urge this House to vote more money. We are not asking for more money under this bill, but I do urge the House to help free this program from a restriction which would cripple our efforts to help the cities throughout this Nation at no expense in the efforts along this line. The adoption of this amendment would remove the limitation of the 12½ percent.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, many of our housing programs have State limitations to assure that every part of the country has an opportunity to share in the benefits. The mass transit program is still a relatively new one, but it is one that meets a national need and is helping towns and cities of every size in every area. It is essential to the longrun success of the program that this continue to be true.

I sympathize with the problems of our very large metropolitan areas which have equally large and costly problems but the solution to their needs is to provide adequate funds as it becomes necessary, not to remove a limitation needed to protect the rest of the country. I am informed by the Department that at present no State is pressing against the existing 12½-percent limit nor do they foresee any immediate problem.

If we should remove this needed protection, in a year or two we might suddenly be confronted with one city gobbling up a greatly disproportionate amount of the funds then available which would freeze out the majority of the Nation. I believe the House has a duty to protect the rights of small- and medium-size communities which need this aid just as much as the big cities and I feel a better way to meet the problem when it arises is to study the proposal then made and the problem it is designed to overcome and, if the facts warrant it, make adequate funds available at that time to take care of our largest metropolitan areas, while at the same time providing for smaller towns.

I hope this amendment will be defeated.

The gentleman from New York [Mr. FINO] said that the city of New York takes care of a large part of the transit needs of Connecticut and New Jersey. There are three States involved. That means that 37½ percent of the funds will be available to those three States in that area and that is a large part of the funds.

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

Mr. PATMAN. I yield to the gentleman.

Mr. FINO. Mr. Chairman, under this bill New York State can only apply for and the limitation as to New York State will be, a 12½-percent ceiling. That is the most they can receive even though their transit activities may cover the other two States, New Jersey and Connecticut.

Mr. PATMAN. Mr. Chairman, I ask my colleagues to defeat this amendment. This bill will go to conference. Yesterday in the other body an amendment was hastily written and put into this bill which affects this 12½-percent provision and removes it under certain conditions.

Mr. Chairman, if we were also to adopt this amendment, the hands of the conferees will be tied. If you leave this bill as it is now before us and let it go to conference, consideration will be given to this amendment and I know the right thing will be done.

So I hope the amendment is defeated.

Mr. MULTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I oppose the amendment that is now pending before us despite the fact that if it were possible to get $175 million—which is the annual authorization of this bill and get it all for the city of New York, I would vote for such a bill. I would join my colleagues from New York in presenting such a bill if there were a chance of it being enacted. But I know there is no such chance. Therefore, let us not confuse the issue and not overlook the fact that what we are dealing with here is a demonstration program.

Mr. Chairman, as was just pointed out by our able chairman of the full committee, if the State of New York, the State of Connecticut, and the State of New Jersey should consummate a tri-state compact for mass transportation, they will be entitled to receive 37½ percent of the annual contribution or authorization for their demonstration program. I think that that should be ample to do the job, having in mind that up to the present time the entire State of New York including the city of New York has applied for and obtained a maximum total of less than $5 million of the grant money that has already been authorized and appropriated under the existing law.

I asked our distinguished colleague from New York [Mr. FINO], during the general debate, what he thought was the amount required to finance merely the interest on a bond issue which he suggested for New York City transit. He answered me that it was $40 million. He has corrected his remarks, as, of course, he has a right to do, and the record now reads $400,000. He has again corrected the figure to read $16 million, which is 4 percent of $400 million.

Even that figure is incorrect. He should have said $10 million a year. In his individual statement accompanying the report on this bill, he suggests a bond issue of $250 million—that is a quarter of a billion dollars—with 4 percent interest that would require $10 million a year in interest. He suggests instead of the present provision in the law that the Federal Government subsidize the payment of that annual interest, or $10 million a year in interest in lieu of a 12½-percent limitation as called for. The interest subsidy would be less than half of the $21 million that we are entitled to get under the 12½-percent provision now in the law.

What bothers me is this—not that I do not want New York to get its full share, and even a little bit more, if we could get it under this bill—but if we adopt the amendment that is offered by the gentleman from New York [Mr. FINO] what will happen is that there will be a race between all the big cities—San Francisco, Los Angeles, Atlanta, Chicago, Philadelphia, Boston and New York—and whoever gets there first will get the maximum amount, in accordance with the discretion of the Administrator, and possibly use up the whole fund.

New York then may not even get the $5 million that they have already gotten under existing law.

Mr. Chairman, I think this is a very bad amendment. While I would go along with an amendment which would increase the 12½ percent to 15 percent or possibly even 20 percent, I do not think that we should open the door wide, remove the limitation entirely, and create a race betwen the big cities as to which one will get there first and who can prove greater need in accordance with density of population.

The city of New York is the most densely populated city in the country.

It should come first by that standard. I am sufficiently cognizant of the facts of life to say that if that is what you would do with this bill, you will never pass the bill, because this House is not prepared to give the city of New York all the money that is provided for under this bill.

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

Mr. MULTER. I yield to my colleague from New York.

Mr. FINO. The gentleman has made reference to a compact between New York, New Jersey, and Connecticut, and that if such a compact were possible, they would absorb 37½ percent of all the funds. Does the gentleman realize that 80 percent of the problem exists in New York, that is, the transit problem?

Mr. MULTER. Whether 80 or 100 percent of the transit problem is in New York, the other big cities that I have mentioned have just as big a problem. If you are going to try to limit this bill to the city of New York, we might as well forget about it. We will not get the support of this House unless every city in the country receives some help under the bill.

Mr. FINO. Mr. Chairman, will the gentleman yield further?

Mr. MULTER. I yield.

Mr. FINO. It is not my intention at this time or at any time to take all the funds that are made available under this program and throw them into New York City. What I am asking under the amendment is that we remove the limitation or ceiling of 12½ percent and give the Secretary of HUD discretion to give a little more to the city of New York if he finds that the need exists.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MULTER. Mr. Chairman, I ask unanimous consent that I may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York? Hearing none, the gentleman is recognized for 2 additional minutes.

Mr. MULTER. The trouble with what the gentleman from New York has said is that he ignores the second part of this amendment, which states:

(b) In providing financial assistance under this Act, the Secretary shall give priority to the urgency of the need existing in the nation's largest cities with high population density.

Under that language, no other city in the Nation could come ahead of the city of New York.

Mr. FINO. Mr. Chairman, will the gentleman yield further?

Mr. MULTER. I yield to the gentleman from New York.

Mr. FINO. I assure the gentleman from New York that the amendment would apply to Chicago, Los Angeles, and Philadelphia, as well as New York.

Mr. MULTER. This gentleman in the well is unwilling to take that risk and create a race between the big cities of the country as to which shall come first, and which will persuade the Secretary to use his discretion in favor of that city as against any other.

Let us keep the criteria we have in the law now, except possibly to increase the percentage limitation.

Mr. FINO. Mr. Chairman, will the gentleman yield further?

Mr. MULTER. Yes, I yield to the gentleman from New York.

Mr. FINO. In other words, the gentleman is telling this body that he does not have faith and confidence in the Secretary of HUD?

Mr. MULTER. I have the utmost faith and confidence in the Secretary, but I do not want pressures exerted on him by each of the big cities, so he will then have to make a decision as to which city will come first. Let us treat them equally.

Mr. WELTNER. Mr. Chairman, I rise in opposition to the amendment. I wish to take issue with the statement of my friend from New York that this is a bill for big cities. It is not a bill for big cities. It is a bill which can help big cities. It also can be of inestimable value to many of the medium-size and small cities.

This bill is not directed only toward alleviating, in some measure, the massive traffic pains of the great metropolises of the country. It is also directed to providing stimulus and assistance for communities who foresee that unless they make adequate plans at this point in their development, they, too, will suffer from massive traffic pains. It is a bill for small cities. Many cities in this country have absolutely no mass transportation facilities. The bill, as we passed it in 1964 and hopefully to be amended today, can be of assistance to those communities. It is a bill that can help a city such as Atlanta, which finds itself between the 1 and 2 million point in population. That seems to be the point, Mr. Chairman, where either the traffic problems are solved, or else they become so massive as to be almost incapable of solution.

So I rise in opposition to this amendment, and particularly point out to my colleagues that this is not a bill just for the big cities. It is a bill that can be of lasting value to all of our communities.

If this amendment is passed, however, I fear it might indeed be, as the gentleman from New York indicates, a bill for big cities. I do not believe the members of the committee wish that. Certainly I do not wish it. Nor do I believe a bill that can assist only the residents of New York or some other great metropolitan center of population will command the support of all of us. It was stated that 80 percent of the problem is in New York City. I assure you, Mr. Chairman, that 80 percent of the transportation problems of Atlanta are not in New York City. They are right there. All of the cities need this help, and I urge defeat of the amendment.

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

Mr. WELTNER. I yield to the gentleman from New York.

Mr. FINO. I want to assure the gentleman from Georgia that I am in complete agreement with him. This is a bill for all cities that have a transit problem. The point of my amendment is to place emphasis on the situation that exists in some of the larger cities, so that the Secretary of HUD can focus on some of these problems, without taking away from the problems that may exist in Georgia.

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

Mr. WELTNER. Mr. Chairman, I yield to the gentleman from New York.

Mr. MULTER. Mr. Chairman, this gentleman from New York subscribes to all that the gentleman from Georgia has said. I hope nothing I said will be taken to indicate that this is a big city bill. I simply tried to point up that if the amendment prevails, it can become a big city bill. That is the last thing we want to have happen.

Mr. CURTIS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to ask of the committee what the budgetary situation is on this bill. I notice the committee report has no reference to what the President has budgeted. Under title I, we ask for $175 million. What is the President's request in this area?

Mr. REUSS. Mr. Chairman, I will be glad to respond to the question of the gentleman. In the budget for this bill was $150 million, starting in fiscal year 1968.

Mr. CURTIS. That includes some carryover balances, does it not?

Mr. REUSS. That does include carryover balances. The bill itself is in excess of that, and raises the budgetary request to an authorized figure of $175 million a year. That was a recommendation of our distinguished colleague and the ranking minority member, the gentleman from New Jersey [Mr. WIDNALL], generally agreed to on both sides.

Mr. CURTIS. I understand that.

This House has taken a report from the Committee on Banking and Currency. I must say that so far as the Committee on Banking and Currency is concerned, I commend the committee for coming forward with a project it believes is desirable and with the funds it believes are needed to make the program go forward.

The House itself, under the leadership of the Democrat majority, and hopefully the minority leadership, has to be concerned about the overall budget, and that of the President gives us some guidelines.

Again I want to recount that the President of the United States called the leaders of the Congress on both sides of the aisle in both bodies before him and pointed out that the Nation is in a serious fiscal situation. The President criticized the Congress and the leadership for going beyond his budget figures.

I said earlier this year I thought we could afford both guns and butter, but pointed out I did not believe we could afford rancid butter, meaning programs which were not properly conceived.

In light of developments, and certainly in light of the presentation of the chairman of the Appropriations Committee when presenting the defense appropriation bill to this House, it is quite clear we are going to have to come in with another $8 or $10 billion supplemental for the Vietnam war on top of the vast $58 billion military appropriation bill. I observed then we had reached the point we had to distinguish between good pro-

grams, and establish some kind of priorities.

If the President of the United States did not in his judgment request the committee or this House to go beyond his budget, desirable as this program might be, and from my standpoint, since I come from St. Louis, a metropolitan area, where there are these kinds of needs, I might be arguing that this should be given priority among many of the other programs we have or will have to consider—we must recognize that all of us will have to start tightening our belts. I plead with the Members of the House to start paying attention to these things.

The committee certainly should have given the information to the House that this was beyond the budget request of the President.

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

Mr. CURTIS. I should like to finish. I had a difficult enough time getting the floor, since I am not a member of the committee, to make these points. Obviously, the members of the committee are not going to make these points. These have to do with related programs, relating this program to the programs coming from the 19 other committees.

I believe we have to start reporting from the committees concerned the information the House needs as to how a request fits in with the President's budget. Thus, when it comes time to vote, hopefully the leadership on the Democratic side will offer amendments to conform to the President's budget unless it is pointed out why overriding reasons—there may be some here; I do not know—indicate we should break the President's request and go beyond his budget.

I believe Congress should not merely abide by the President's statement, but we should pay attention to his requests and consider them, and override them only in the event reasons are presented.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

(On request of Mr. MULTER, and by unanimous consent, Mr. CURTIS was allowed to proceed for 2 additional minutes.)

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

Mr. CURTIS. I thank the gentleman, and I yield to him.

Mr. MULTER. I thank the gentleman for yielding. I should like to call attention to certain facts.

For fiscal years 1965, 1966, and 1967 a total of $375 million already has been authorized under existing legislation, the Urban Mass Transit Act of 1964.

Mr. CURTIS. Could the gentleman tell me from where he is reading in the report?

Mr. MULTER. This is not in the report. These are the figures available to all Members.

Mr. CURTIS. Available from where? What is the source of it?

Mr. MULTER. The Bureau of the Budget will make them available to you and the Housing Department will make them available to you.

Mr. CURTIS. No. I am asking you what you are reading from.

Mr. MULTER. This is a memorandum prepared for my use here in the event that this question was raised. These figures are accurate.

Mr. CURTIS. I am not questioning the gentleman's figures at all, but I am trying to find out the source of it so I can evaluate it.

Mr. MULTER. The Department of Housing and Urban Development will supply them to you. They supplied them to me. And also they are available from the Bureau of the Budget.

Mr. CURTIS. In other words, the gentleman is saying HUD supplied the figures?

Mr. MULTER. However, quite apart from where these figures on this paper came from, we can get them directly from the act that we passed, that is, the authorization act and figures of the amounts of the appropriations also come from the appropriation acts. They are all available in the Department of HUD and in the Bureau of the Budget.

With regard to the appropriations for the fiscal years 1965, 1966, and 1967, we appropriated a total of $320 million. So we have not appropriated all of the $375 million that has been authorized. If we enact this bill, we will authorize the continued appropriation of that unappropriated difference of $55 million. The Appropriations Committee we hope will bring in such a bill for that $55 million plus $95 million, making the total of $150 million for fiscal year 1967. So we are well within the budgetary figures for fiscal year 1967 and the appropriation for 1968 will not come to us until 1968.

Mr. CURTIS. But the authorization is beyond the President's budget.

Mr. MULTER. For 1967 it is not, but for 1968, of course it is.

Mr. CURTIS. Yes. And what I am speaking to among other things is the fact that that kind of data should be in the committee report. All committees should bring this kind of data in if we are going to pay attention to this very serious fiscal situation that faces this country.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. ARENDS. Mr. Chairman, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may proceed for 2 additional minutes.

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

There was no objection.

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

Mr. CURTIS. I am very happy to yield to the gentleman.

Mr. ARENDS. Mr. Chairman, I am pleased the gentleman called this matter to the attention of the House, because once again, and it is repetitious and I apologize for saying it again and again, but so many times the President of the United States has pointed his finger at the Members of Congress for increasing his budget requests. If you want to assume the responsibility of being blamed by the President, that is your business, but I feel strongly we should not go above his budget. It is the President's responsibility and not ours. I assure you the President has a list of every instance where the Congress has gone above his budget request. He is saying that overspending this is the fault of the Congress. We must not be placed in that position so let us not go above his budget.

Mr. CURTIS. I thank the gentleman, and I point out that that is what I am trying to say here, but I am also saying that the President's recommendations are mere recommendations. I do think we should pay attention to them, and if we do go beyond them—and maybe there are instances where we should—then we should come prepared in the committee studying it to point out why they think that the President's judgment is not good or maybe the judgment has changed due to the time element involved since it is 2 months or 6 months since the budget was presented. I am not trying to judge this, but the fact of the matter is that we should have this information so that we will continue our debates in the future on these bills in some context with the serious fiscal situation facing this country. Gentlemen, this is no joke. The figures show it. Inflationary forces are at play, and we are all seeing the effects of them. It is undermining the basic strength of our economy as well as our national defense. So it does behoove us to conduct a debate on this bill and other bills in this kind of a context. Yet here I am, not a member of the committee, but the only one to discuss it.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. WIDNALL. Mr. Chairman, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may proceed for 2 additional minutes.

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

There was no objection.

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

Mr. CURTIS. Yes. I yield to the gentleman.

Mr. WIDNALL. I very much appreciate the remarks that have been made by the gentleman from Missouri, but I differ with him in my approach to this matter in this respect. I feel mass transit is a matter of national priority today. There are many of us, including my colleague, who have been urging that the President and the administration set up priorities for spending here in this country.

I just voted, within a matter of days—and I believe the gentleman from Missouri [Mr. CURTIS] did also—against $450 million for beautification which we felt had no place in the spending program at the present time in view of the very urgent needs in education, in housing, and for Vietnam. The mass transit program should also have priority.

Mr. Chairman, we have an existing program. I think it has been proved to be successful. It is increasingly expensive to carry out the various matters involved in this program because of the increased costs in material and labor.

Mr. Chairman, the modest $25 million increase over the administration request

only reflects increases in the cost of continuing this program.

Mr. CURTIS. Mr. Chairman, I want to thank the gentleman from New Jersey, because this brings the matter into context. As pointed up by the gentleman from New Jersey, for whom I have great respect as I have for members of the committee on the other side of the aisle—I am pleading that we start discussing matters in terms of priority. He speaks in terms of priority. I cannot pass judgment myself. I do not know. I listen to the committee. I listen to other committees with their priorities. But here I am trying to conduct some sort of debate with reference to priorities.

Mr. Chairman, I, too, felt very strongly that this beautification money, which was not requested by the President at all, should have gone out of the authorization bill last week. But we did not have enough support. We almost did.

Mr. Chairman, I am pleading with the House, though, to start applying priorities, and for the committees which consider these bills to be prepared to defend them on the floor of the House when they go beyond the President's budget.

Mr. RYAN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I think that we should stop and think about the effect, not only in this program, but in other Federal aid programs, of the arbitrary ceilings which have been imposed.

Here, Mr. Chairman, we have a 12.5-percent ceiling imposed upon the amount of funds available for any one State for mass transit.

Mr. Chairman, there is a 12.5-percent ceiling on funds available for urban renewal. There is a 15-percent ceiling on funds available for public housing. There is a 12.5-percent ceiling on funds available for air pollution abatement under the Clean Air Act.

In every instance the effect is to restrict the amount of money available for our metropolitan regions. These restrictions do not apply only to the city of New York. They apply to other urban centers as well.

Mr. Chairman, mass transit funds are needed in all large urban areas whether it be Atlanta, Chicago, Los Angeles, San Francisco, New York City, or Boston, the picture is the same.

This limitation is arbitrary, capricious, and manifestly unfair to our large urban centers which are most in need of expanded Federal aid. Certainly there should be a fair distribution of Federal funds throughout the country, but such a distribution is not best brought about by the present arbitrary limitations.

No urban area faces a greater hardship than New York City. Although H.R. 14810 provides an increased authorization for the Federal mass transportation program, it will not begin to meet New York City's needs. Under present law, New York State—and that is the full State, of which New York City comprises but a part—is entitled to only 12½ percent of $150 million annually, or $18.75 million. If the present bill is passed, it will be able to get 12½ percent of $175 million annually or $21.875 million. This assumes that the full authorization is appropriated, and it was not during the past 3 years. It was $55 million short.

The difference is just over $3 million; if you assume that the city will receive one-half of that money—and that is certainly not assured—New York City will receive enough added funds for three subway trains.

Similarly, even if New York City managed to obtain the entire State share of next year's authorization, it would receive less than $22 million. The New York City subway operating deficit last year was almost four times this figure. How can our large urban areas solve their problems with this level of aid? It is like asking Babe Ruth to hit a home run with a toothpick.

Already many areas have felt the pinch of the 12½-percent provision. Under the Urban Mass Transportation Act of 1964, each State was allowed up to $46.8 million—12½ percent of $375 million. Yet Pennsylvania, which has already been granted $19.8 million, has asked for $38.3 million more. That is just what they have applied for, Mr. Chairman, not all of what they need.

Another case is California's, which has received $26.4 million in grants and applied for $20.1 million more. This would not come close to solving the problems of San Francisco, let alone those of the whole State. Massachusetts, which has received $21.2 million already and has $27.3 million in applications pending, is being held back in similar fashion.

New York's case is the most severe. Its population surpasses the population of six cities—Boston, Washington, Philadelphia, St. Louis, Cleveland, and Baltimore. The six cities each have access to the 12½ reserved for their State, yet New York is limited to the 12½ percent allocation for one State. This is unfair and must be changed.

Mr. Chairman, I do not believe we should tie the hands of the Secretary of Housing and Urban Development. What the amendment would do, if adopted, would be to free the Secretary to assign priorities, and to see to it that funds are available to all of our large metropolitan centers.

Mr. Chairman, I believe that the amendment should be supported, and that we should eliminate this arbitrary restriction.

I have introduced legislation in the past to remove these restrictions (H.R. 12823, H.R. 3968, H.R. 12915, H.R. 10124), and I have testified before the Committee on Banking and Currency in favor of eliminating these restrictions in Federal aid programs.

Mr. Chairman, I suggest that the adoption of this amendment would be in the interest of our major urban centers regardless of what part of the country they are located.

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

Mr. RYAN. I yield to the gentleman from New York.

Mr. MULTER. Mr. Chairman, the fact of the matter is that the Secretary does not want this discretion. He supports this limitation. Whether the limitation is correct as to the percentage, is not the question pending before us. The Secretary does not want the pressures that would be placed on him by the big cities if this limitation is removed.

Mr. RYAN. We are legislating, and the Secretary is not legislating. We should remove the arbitrary limitation, permitting the Secretary to make a fair allocation. I think the Secretary will be fair and equitable in the distribution of the funds. It would be in the interest of all major urban centers, in whatever part of the country they are located, to adopt this amendment, and I join in supporting the amendment.

Mr. JOELSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise briefly to address myself to some comments of the gentleman from Missouri. Earlier in the day we heard about the need, and I certainly recognize the need, to maintain independence between the three branches of the Government—the legislative, the executive, and the judicial. We hear almost daily that we in the legislature are abdicating our responsibilities to the Executive. Yet here comes the gentleman from Missouri and he says that if the President through the Bureau of the Budget does not recommend an authorization or an appropriation, we should not consider it.

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

Mr. JOELSON. I will yield in a moment.

Mr. CURTIS. Mr. Chairman, the gentleman is misquoting me. Will the gentleman yield for a correction?

Mr. JOELSON. I yield to the gentleman.

Mr. CURTIS. Mr. Chairman, I said just the opposite. I said that we should not be bound, we certainly should pay attention and we should be ready to advance the reasons if we decide to go beyond the President's recommendations. I was saying almost what the gentleman started out to say.

Mr. JOELSON. If that is the case, I certainly agree because I feel that in this body, although we must pay due respect to the administration's executive recommendations, we still have the authority for authorizations and appropriations. Although we have to give courteous respect to the suggestions, we have to work our own will.

Therefore, Mr. Chairman, when we consider priorities, I think high on the list is the need for this mass transit program. Therefore, I wish to express my support for the program.

Mr. Chairman, if I misunderstood the purport or the thrust of the argument of the gentleman from Missouri, I certainly wish to correct it.

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

Mr. JOELSON. I yield to the gentleman.

Mr. CURTIS. The gentleman now has the matter in correct context. We are now in agreement.

Mr. JOELSON. I am glad we are in agreement.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FINO].

The question was taken; and on a division (demanded by Mr. FINO), there were—ayes 8, noes 55.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. HALPERN

Mr. HALPERN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALPERN: At the end of section 12 of the Mass Transportation Act of 1964, strike out the period and insert in lieu thereof the following: ": *Provided*, That the Secretary, shall first reallocate sums not used in any fiscal year within the limitation herein prescribed and may without regard to such limitation, enter into contracts for grants under Section 3 aggregating not to exceed $12,500,000 (subject to the total authorization provided in Section 4(b)) with local public bodies and agencies in States where more than two-thirds of the maximum grants permitted in the respective State under this section has been obligated."

The CHAIRMAN. The gentleman from New York [Mr. HALPERN] is recognized for 5 minutes in support of his amendment.

Mr. HALPERN. Mr. Chairman, this amendment overcomes some of the objections raised to the one offered by the distinguished gentleman from New York [Mr. FINO] and yet will provide the flexibility I think all of us would want. This is not a big city amendment or a little city amendment. It could very well help any locality in this country that qualifies under this bill.

Mr. Chairman, this amendment was accepted yesterday by the Senate and incorporated into the Senate version of the legislation before us. The amendment gives the Secretary more flexibility in allocating funds where they are needed most.

This amendment retains the existing 12½-percent State limit, but allows the Secretary to use his discretion with a $12.5 million pool within the $175 million total authorization. These would be unused funds up to $12.5 million. This pool may be allotted in varying amounts to projects in those States which have already used up two-thirds or more of the $22 million limit per State.

The reasoning behind this amendment is logical. The provision will take away some of the frustration which the existing State limitation imposes. For example, if the Secretary is asked to approve a worthwhile project within a highly urbanized State which has almost used up its modest allotment, under existing limitations, he may be forced to reject the project, since it may push the States total amount over limitation by a small amount.

However, my amendment will correct this situation. It will give the Secretary the authority to exceed the 12½-percent limitation by a small but vital amount in cases of States which have nearly used up their allotment, but which have projects which the Secretary feels are so urgent that the 12½-percent ceiling will frustrate an important project.

The less urbanized States will conceivably not use amounts near the 12.5 percent limit, so that there may be this existing pool of $12.5 million which might otherwise be left unused and unclaimed.

The discretionary authority I am asking for the Secretary is already embodied in urban renewal legislation for the very same reason—that we may be arbitrarily cutting off urgent projects by a self-imposed limitation.

I trust the House will see the wisdom in this amendment designed to permit flexibility and to inject rationality into the allocation of these vitally needed funds.

It is difficult to understand how anyone can oppose this amendment. I might say I have spoken to the Secretary of Housing and Urban Development and he, Secretary Weaver, assured me he had no objection whatsoever to the amendment. As a matter of fact, Mr. Chairman, he said, and I quote:

It's a good amendment. It would confront absolutely no difficulty and in my personal opinion it would improve the bill.

He added:

I'm all for it and I don't see how anyone can object to it.

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

Mr. HALPERN. I am happy to yield to my colleague from New York, who is a distinguished member of the committee.

Mr. MULTER. I am impressed with the gentleman's argument. Am I not correct in saying that the amendment was neither submitted to nor considered by the committee, either the subcommittee or the full committee, on the House side or on the Senate side?

Mr. HALPERN. That is correct, but I am sure you will agree with me that there is always room for improving legislation, and I believe that the amendment would do just that. That is our obligation on this floor. That is why we have deliberation and consideration.

Mr. MULTER. I am just wondering whether or not the amendment may go further than the gentleman anticipates. A few moments ago I did read the gentleman's amendment very hastily. Frankly, I have not given it enough consideration. I will say that the gentleman's argument has impressed me, but I do not know that we should be pressed to take it at this time. It will be in conference. The Senate has adopted that very language you are offering; is that correct?

Mr. HALPERN. That is correct.

Mr. MULTER. So it will be in conference, and we will have an opportunity to consider the precise language carefully.

Mr. HALPERN. But as a deliberative body we have the duty to act on legislation. This is the place where legislation should be acted on and we should not have to rely on a conference.

Mr. MULTER. If the gentleman will yield further, when the conference brings its report to the House, the House deliberates upon it and considers it. I am just suggesting that we take a little more time to consider the gentleman's amendment.

Mr. HALPERN. Admittedly it is a good amendment. The Secretary believes it is. The Senate approved it overwhelmingly. The gentleman who has risen concedes that my arguments are good and convincing. I cannot see how anyone can object to it.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that the gentleman from New York be given 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas? The Chair hears none, and it is so ordered.

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

Mr. HALPERN. I yield to the distinguished chairman, the gentleman from Texas.

Mr. PATMAN. The gentleman has suggested that the Secretary had approved the amendment. Does the gentleman have a statement from the Secretary?

Mr. HALPERN. Not in writing. But earlier today, at your suggestion, I spoke to him. If you recall when I showed you the amendment you asked how the Secretary felt about it and, wisely, you advised that I solicit his views. I phoned the Secretary and I discussed the amendment. I took down his comments exactly as I quoted him in my remarks.

Mr. PATMAN. There is always a risk of the other party not understanding it exactly over the phone.

Mr. HALPERN. But I am certain he had an opportunity, because the Senate already had acted on it. I am sure he knows exactly what the amendment does, Mr. Chairman.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

This amendment was not presented to the Committee on Banking and Currency. It was not considered by our committee at all. We did not know anything about it until the last hour.

It is true that the amendment was presented on the floor of the Senate. It was written on the floor of the Senate yesterday. It just comes in from scratch. It was changed on the floor of the other body two or three times. It is printed in the RECORD on page 19431, of August 15, 1966. There it can be seen that the amendment was offered and changed at the suggestion of the Senators.

Real consideration has not been given in either the Committee on Banking and Currency of the House or in the Senate. There is only about one column in the RECORD of consideration by the Senate.

The Members of this House know that in the other body, oftentimes when a Senator insists upon a certain amendment, they know that when it goes to conference it will be given consideration. If they get it, all right, but they say, "Let me get my amendment in." Oftentimes that is done. We all realize that.

In this case probably there was no injustice done by putting it in, in the other body, but if we were to adopt it now, the legislative situation would be

that we are locked in as conferees, if we have made a mistake and a terrible mistake—and it is possible we would. We have to be in a position to take into consideration all the factors that should be considered in connection with a far-reaching amendment like this.

We do not know what the consequences of it will be. But between now and the time that we will be in conference to write the actual language, we may know more. If we adopt this now, we are locked in. We cannot change it at all. We cannot change the dotting of an "i" or the crossing of a "t". This is a dangerous way to legislate.

Turn this amendment down. It will still be in conference. Then, if it is right, the conferees will be reasonable and after that, of course, what they do will have to be submitted back to the House and the other body. If it is not right, each Member has his recourse and can take action for consideration. But it seems to me it would be very unreasonable to insist that the House just lock itself in on an amendment that is so far reaching, which was only considered less than 24 hours ago for the first time in the other body, which was presented and written there on the desk of a Senator, which was never considered by a committee in either the House or the Senate, and which was changed several times to meet the objections of different Senators. No information has been presented in the RECORD to indicate exactly what the meaningful effect of this amendment will be.

Therefore, I hope the gentleman will withdraw his amendment and ask consideration in the conference. It is bound to go to conference, and he could possibly be one of the conferees. In that way he will get complete justice of getting careful consideration. I hope that is done.

If he does not withdraw it, I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. HALPERN].

The question was taken; and on a division (demanded by Mr. HALPERN), there were—ayes, 6; noes 53.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. HARSHA

Mr. HARSHA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARSHA: On page 2, line 1, after the semicolon, strike out "and $175,-" and all of line 2, and insert in lieu thereof "$150 million for fiscal year 1968".

Mr. HARSHA. Mr. Chairman, I do not need to go into all of the reasons for this particular amendment. The distinguished gentleman from Missouri outlined the various needs ably, I believe.

All this amendment will do is meet the request of the President of the United States. As I understand it, he requested in his budget the sum of $150 million for fiscal year 1968.

With the exploding cost of living and the continual rise in the price of food and daily necessities, and with the Vietnam commitment costing us many billions of dollars—as I understand it, the latest report in this is in the neighborhood of some $2 billion a month—certainly we should consider the President's request and keep this expenditure within his suggestion. I have not known him to be miserly in his requests before.

I certainly believe $150 million will be sufficient, considering the provision in the bill regarding carryovers. I understand some are available, and carryovers can be appropriated in any subsequent year. This should be sufficient to meet the problem. Certainly within the next year and a half we can look at the picture again and take into consideration the overall national interest and the situation at that time. I am not arguing the merits or lack of them of this program but the overall national interests dictate that we remain within the budget requests wherever possible. The President has continually chided Congress to stay within his budget requests. And upon end authorization for $175 million yearly from now on—indefinitely—can only add fuel to the fires of inflation.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the distinguished gentleman from Michigan.

Mr. GERALD R. FORD. I thank the gentleman from Ohio for yielding so that I can give a recapitulation of what the act of 1964 did by way of authorization.

The act provided that in fiscal year 1965 there should be an authorization of $75 million, in fiscal year 1966 of $150 million, and in fiscal year 1967 of $150 million.

For the fiscal years 1965, 1966, and 1967 there were the following actual appropriations: $60 million in 1965, $130 million in 1966, and $130 million in 1967.

In the light of past appropriations and in view of the President's request only for $150 million each year in new authorization, it seems to me it would be wise for the House on this occasion to stay within the President's budget request.

As the gentleman from Illinois pointed out a few minutes ago, the President has had the leadership from both the other body and the House, both Democratic and Republican, down for a conference on two occasions to discuss the problems of inflation and the increases in the cost of living. On each occasion the President has stated very categorically that the House and the Senate had persistently and consistently increased his budget requests.

The President does point out that so far this year the Congress has increased his budget in authorizations by $6 billion.

It seems to me we should not compound that problem—an inflation of serious proportions—by now approving an authorization provision which goes $25 million beyond the President's request for fiscal year 1968.

For that reason I hope the gentleman's amendment will be approved.

Mr. HARSHA. Mr. Chairman, as I understand it, any amount appropriated remains available until expended. In addition to that, any amount authorized but not appropriated for any fiscal year may be appropriated for any succeeding fiscal year. Now, according to the figures that the gentleman from Michigan just referred to, there is a balance of unappropriated but authorized funds of $55 million. Adding this together with the $150 million authorization for fiscal year 1968, it leaves a total of $205 million available. The bill as it presently reads grants an open-end authority with $175 million from now on. I think that this is going a little too far and is showing complete disregard for the request of the President and the interests of those citizens required to live on fixed incomes.

Mr. Chairman, I urge the adoption of this amendment.

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

Mr. HARSHA. I yield to the gentleman.

Mr. STANTON. I wonder if the gentleman is familiar with the fact that yesterday in the urban mass transit bill in the other body the authorization was reduced to $150 million in accordance with the President's request.

Mr. HARSHA. As I understand it, the other body did reduce the authorization to $150 million for fiscal year 1968.

Mr. WIDNALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have long felt that one of the areas in which we have been guilty of shocking neglect has been the support of mass transit programs. In times of national emergency we must have alternate means of transportation. We must continue to develop the most feasible type of rail transportation that can be offered to the American public, being sure that there is adequate maintenance, and facilities are being preserved and maintained and erected throughout the country. I have personally felt—and I think many other Members of the House will agree with me—that this bill should have a priority over many other programs. In order to be meaningful it should be a continuing program. We have been operating on a hand-to-mouth basis for years, and for 10 years we have watched the deterioration of transportation throughout the country. Of course, this is not entirely a rail bill or a rapid transit bill, but it covers all forms of transportation on the ground. It seems urgent to me that the Congress should face up to its responsibilities in this area.

The minority leader has mentioned visits to the White House. The minority leader did not mention that the President himself sent up a request for $600 million more than the original request in connection with the demonstration cities program. That is upping his original request for the year by $600 million. I think we have to be selective in the use of money. I certainly feel that this area is one which demands attention, immediate attention, and continuing attention. I very much regret to see us go backward by going to a 1-year basis and also reducing the request that is in this bill for $175 million.

Mr. Chairman, I urge the defeat of the amendment.

Mr. PATMAN. Mr. Chairman, I just want to say one word in support of the gentleman from New Jersey [Mr. WIDNALL]. Mr. WIDNALL has worked on this

Mass Transit Act as much as any Member of Congress. He has done some fine work in connection with it in persuading Members of Congress to believe that we should enact a bill of this type and a substantial bill, one that will look to the future.

This amendment, which has been offered by the gentleman from Ohio [Mr. HARSHA], would considerably weaken, if not destroy, this urban transportation program.

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

Mr. PATMAN. Not at this moment. You cannot do too much in 1 year with reference to mass transit affecting many States and cities and towns located in all of these States.

You must have a longer life program in order for it to be effective.

Mr. Chairman, I agree with every word that the gentleman from New Jersey [Mr. WIDNALL] said, and I hope that this amendment is defeated.

Mr. HARSHA. Mr. Chairman, will the gentleman yield at this point?

Mr. PATMAN. I yield to the gentleman from Ohio.

Mr. HARSHA. The gentleman from Texas says that to reduce this sum to $150 million would not only weaken but would destroy the program.

The gentleman in effect is saying that the President of the United States wanted to destroy it, because that is all the money he requested?

Mr. PATMAN. No; I say possibly destroy it; I said considerably weaken it, and probably destroy this act. It would depend upon the action of the Congress at the end of another year. We do not know what will be the score at that time.

So I sincerely hope that the amendment is defeated.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RYAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. RYAN. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Ohio [Mr. HARSHA] which would reduce the authorization of the present bill.

It is difficult to understand how the Congress can ignore the crisis in urban mass transportation by reducing the Federal effort toward solution of these problems. Our cities cannot live with less money for this program; if anything, the program is too small already. Far more funds should be authorized to carry out the objectives of the urban mass transportation program. The authorization proposed by H.R. 14810 is a disappointment. Anything smaller would be a tragedy.

How often must the House be reminded of the inability of the State and local governments to pay for their mass transit needs? How often must the House be reminded of the enormity of those needs?

Five years ago, a report by the Institute of Public Administration estimated that the total capital requirements for mass transportation during the 1960's would be at least $9.8 billion.

All indications are that even this figure is too low. For instance, last February the Regional Plan Association, a nonprofit organization of planners from 22 counties of New York, New Jersey, and Connecticut which comprise the New York metropolitan area, issued a report calling for the expenditure of some $2.5 billion in the next decade to bring about immediate improvements in public transportation in that great metropolitan center. This means that if we retain the figure proposed by the committee, it would take 14 years just to meet the problems of the New York metropolitan region. How can we expect a Federal mass transportation program to succeed if we fail to authorize enough money to meet the problems of one metropolitan area?

Yet the sponsor of the amendment would reduce the authorization even further. There can be no justification for this. Last Thursday the House approved a bill authorizing almost $12 billion for the next 2 fiscal years for highway construction.

This is almost 80 times the amount we are spending annually on urban mass transportation. Why is there always enough money for highways, but when it comes to a mass transportation program to help our cities, we run out of cash? If inflation is the problem, is it not just as inflationary to spend money to solve rural problems as it is to solve urban problems?

Mr. Chairman, I have consistently criticized the slow awakening of Congress to urban problems. I have pointed out the need for a new day for our cities. With the Urban Mass Transportation Act of 1964, we glimpsed the dawn of that new day. Are we to plunge back into legislative darkness by reversing the trend of increasing Federal awareness and responsibility?

I urge my colleagues to defeat this amendment.

The question is on the amendment offered by the gentleman from Ohio [Mr. HARSHA].

The question was taken; and on a division (demanded by Mr. HARSHA) there were—ayes 38, noes 63.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WIDNALL: On page 4, after line 6, add the following new section:

"SEC. 6. The section of the Urban Mass Transportation Act of 1964 redesignated as section 10 by section 5(a)(1) of this Act is amended by adding at the end thereof the following new subsection:

"'(f) It shall be unlawful to abandon any commuter rail service as a result of an order or recommendation of abandonment issued by a court or regulatory body, whether issued in connection with a rail merger or otherwise.'"

Mr. WIDNALL. Mr. Chairman, I am offering this as an amendment to H.R. 14810 and, at the conclusion of my remarks, I shall ask unanimous consent for its withdrawal.

Mr. Chairman, every Member of the House was shocked by yesterday's Federal court injunction against proceeding with this morning's House Committee on Un-American Activities meeting. Several Members of this House took the floor to express their amazement at yesterday's action. I was particularly impressed by the remarks of the majority whip, the distinguished gentleman from Louisiana. He pointed out that on countless occasions in the past the Congress has had before it proposals that would have interfered with either the executive or the judicial branches.

He reminded us that on virtually every occasion, such proposals have been rejected for fear of their ultimate impact on our cherished separation of powers.

The amendment I have just offered is a perfect example of what the majority whip was talking about. If adopted, my amendment would make illegal any court order permitting abandonment of commuter rail services by railroads. The amendment recognizes that abandonment of present commuter services with its consequent loss of invaluable rights-of-way can undo and work at cross purposes with the intent of Congress in providing for better commuter services through the Urban Mass Transportation Act of 1964.

There is much to be said for an amendment such as this. In my own district, and in my own State of New Jersey, we may in the months ahead be faced with the prospect of a court order permitting the Erie-Lackawanna Railroad to abandon its commuter services. Obviously, it makes no sense for the Congress to write into law urban mass transit legislation, costing the taxpayers hundreds of millions of dollars, while at the same time, the judicial branch of our Government permits abandonment of commuter services—commuter services that within a few years may prove to be profitable through technological advances.

Yet, as much merit as my amendment has, and as much as I am in accord with its intent, I recognize that adoption of my amendment would completely disregard the checks and balances implicit in our Government's three separate and equal branches. Adoption of my amendment would completely disregard the degree of comity between the legislative and judicial branch so essential to our form of government.

Adoption of my amendment, while lofty in its goals, could create an unmanageable impasse and in fact judicial chaos.

Mr. Chairman, because Members of the House of Representatives apparently place a higher value on the delicate balance between the branches than do certain members of the judiciary, I feel confident the House will accede to my request when I ask unanimous consent to withdraw the amendment.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT OFFERED BY MRS. MAY

Mrs. MAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MAY: On page 4, after line 6, add the following new section:

"SEC. 6. Subsection (c) of the section of the Urban Mass Transportation Act of 1964 redesignated as section 11 by section 5 (a) (1) of this Act is amended by inserting before the period at the end of the second sentence the following: '; but any such provision which requires compulsory membership in a labor organization shall not apply with respect to Federal, State, or local governmental employees'."

Mrs. MAY. Mr. Chairman, a few moments ago the distinguished gentleman from Georgia [Mr. WELTNER] said that this was legislation that applied to all cities of all sizes in all States.

The amendment that I have offered would make sure that this would apply to all cities of all sizes in all States.

Mr. Chairman, during general debate I pointed out that the present legislation has a very glaring inequity in that it makes it impossible for the people of a city in my district—and this could apply to cities in your district, to come under the provisions of the help offered under this act to save their bus service because of section 10(c).

Mr. Chairman, very quickly to recap what has happened in Yakima, Wash., in my district, a city of 43,000 persons. In May of this year our private bus company notified city officials that they could no longer continue bus service for the city of Yakima because they were losing money.

The city officials rather than deprive the city of its public transportation arranged to take over the buses and other transportation facilities of this private company and operate the system itself at their own expense. But to finance the solution, our city government proposed the institution of a householder tax, and to complete financing applied for a grant from the Department of Housing and Urban Development.

The Department of Housing and Urban Development cleared this grant in all particulars, but refused to go ahead with it because of section 10(c) which the Members of this House well know is in the act for the purpose of protecting union workers.

Now the city offered the eight bus drivers a job with the city at a raise in wages from $2 an hour to $2.40 an hour. They also offered them additional fringe benefits under the city civil service system. But as city employees, however, under our city law they had to give up their union shop contract although the city officials said they were willing to continue their collective bargaining rights.

As I pointed out earlier, all eight employees were union members, so they had a de facto if not a de jure union shop. However, the city officials in Yakima were advised that before the Department of Housing and Urban Development would OK their grant and make it available, the bus drivers would have to have a closed shop, the right to strike, and compulsory arbitration—this in spite of the fact that the bus drivers' individual positions would not have been worsened under the new job setup but bettered.

But, as I pointed out before, all these proposed revisions in the new labor contract are directly contrary to Washington State law as well as to the charter under which the city of Yakima must operate. Therefore, obviously, our city attorney and city manager could not agree to the proposals offered by the Department of Housing and Urban Development, because they would become personally liable for lawsuits charging that they had violated State laws.

Meanwhile, our bus service has been completely stopped. Forty-three thousand people are without public transportation. The bus drivers, whom the unions are supposed to protect, are without jobs.

For that reason, Mr. Chairman, I have offered an amendment which would make it possible for cities like this in my State, as well as throughout the Nation, to be able to become eligible for Federal grants when they are OK'd by the Department of Housing and Urban Development without having to break the existing laws of their State. I urge your support and adoption of this amendment.

Mr. PUCINSKI. Mr. Chairman, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Would the gentlewoman be good enough to explain to me a point. As I view the amendment, you are really trying to extend the section 14(b) principle into this act. I do not know how you could possibly hope to develop a transportation program if you are going to have a myriad of standards of labor relations along the way.

Mrs. MAY. My amendment would apply only when their conditions would not be worsened but bettered, and they could not require the breaking of existing State laws before these people could get a job. I do not see how this Yakima situation has helped union members. These bus drivers were members of the union. In fact, the members of the unions involved were not all in agreement on compulsory union membership. But here they had not only their own right to membership but also better wages and fringe benefits from the city. Yet the Department of Housing and Urban Development said that they had to have all these provisions in the contract, which would be against State law.

Mr. MULTER. Mr. Chairman, I rise in opposition to the amendment. I would like to ask the gentlewoman from Washington whether or not, as she said during general debate, the amendment is intended to be retroactive and, by its language, would be retroactive.

Mrs. MAY. Actually the language or term "retroactive" in general debate was perhaps misleading. I merely wanted to make sure that the amendment would cover a situation such as exists in Yakima, Wash., where a Federal grant has been applied for but has not been granted.

Mr. MULTER. Do I correctly understand that it would be made retroactive only to the effective date of the act of 1964?

Mrs. MAY. That is correct.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. The clear purport of the amendment, as I understand it from the gentlewoman's discussion in the general debate and now, is that it would be retroactive to 1964. It would create an incredible hodgepodge. The ultimate effect of this amendment, I might say to my distinguished friend from New York, is pure and simple. Its purpose is to destroy the labor section of the act and make labor-management relations impossible in these situations. The amendment should be very strongly opposed.

Mrs. MAY. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentlewoman from Washington.

Mrs. MAY. May I ask a question of the gentleman from New Jersey, who just spoke? Would the gentleman have any suggestions, therefore, on how this act might be amended, so that where union members actually better their position they can be allowed to better their position, instead of being refused the right to have better paid jobs and better fringe benefits and have a job? These eight busdrivers, who are union members, no longer have their jobs. I do not call that proper protection.

Mr. THOMPSON of New Jersey. Mr. Chairman, it is my understanding that there are only eight members. My suggestion is that the gentlewoman withdraw her amendment, and everyone will be in better shape.

Mrs. MAY. I believe the eight involved are very important, if I might answer the gentleman. The eight families are suffering just as much as any others. It is not the number of members. I think it is the unfairness of it, that eight union members lose their jobs and a chance for better advantages.

Legally, there is no way to help them, the way this act is written.

Mr. MULTER. Mr. Chairman, I suggest that the answer to the gentlewoman's problem is to amend her State law.

Mrs. MAY. I thank the gentleman very much.

Mr. MULTER. When we considered this bill originally and enacted the law in 1964, and each time we have amended it, we have taken into consideration two things.

First, to protect private enterprise. We did not permit this act to be used by any city or county or State government to take over private enterprise. We protected that.

Second, on the other hand, we tried to protect labor and provided for that, so that they cannot through the back door break a union contract.

This amendment, as I see it, could be used to break union contracts. I do not accuse the gentlewoman of any ill motive or say that this is her idea. I am sure it is not. But this provision as written could very easily be used as an anti-union provision. It could easily be used

to break existing union contracts with private facilities.

Under this law we want the private companies to continue to operate mass transportation. We want to help them do it. As a matter of fact, there are grants for municipalities, to enable them to acquire facilities which, in turn, they will lease to private enterprise. We have also in mind that unions which have contracts with private entrepreneurs will be protected.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words. I believe the gentleman has made a strong point. I believe it is important to point out that if the gentlewoman's amendment were to prevail, there would be tremendous pressure for these private companies to become publicly owned facilities. The unions do not want publicly owned companies wherever it can be avoided. I believe her amendment would force these privately owned companies into public ownership.

Mr. COLLIER. Mr. Chairman, I move to strike the requisite number of words.

After listening to the arguments against the amendment of the gentlewoman from Washington, I would say that they are about as shallow as any I have heard on this floor.

This amendment certainly is not going to force State ownership or interfere in any manner with private enterprise. It merely protects those political subdivisions that are faced with the problem—and everybody knows it. I just feel the amendment is sound and proper. It is not going to bring about any of the results which those who have opposed the bill have mentioned.

I do not agree with the statement of the gentleman from New Jersey, who said that simply because there are only eight men involved, we should ignore their plight. A more ridiculous argument is that the State should change its law because it conflicts with Federal law, which again is about as shallow an argument as I have ever heard.

Mrs. MAY. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentlewoman from Washington.

Mrs. MAY. There are more than eight bus drivers involved, Mr. Chairman. There are thousands of people, who are elderly, or invalids, or children who have had no public transportation for several months.

We have no recourse under the law. This is going to be taken from a householder's tax. The referendum is on our people. It refers only to Government employees, where the law is such that they cannot have these things in their contract that the Department of Housing and Urban Development is demanding they have in their contract.

We have no other recourse. The last thing in my mind, I can tell my colleague from Illinois, as he has said, is that I would do anything to break the present protection of our union members under this contract. I am trying to find out how I can protect the union members who lost their jobs as a result of the provisions of this act.

Mr. COLLIER. I should like to make a further observation.

There is also a small matter of the public interest involved here.

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

Mr. COLLIER. I am happy to yield to the gentleman from Illinois.

Mr. PUCINSKI. I believe what the lady is trying to accomplish can be accomplished as it is now being accomplished, by privately owned companies continuing to operate the transit systems and continuing their present agreements with the labor organizations, with the municipal government merely acting as a conduit for channeling funds of assistance into the private system.

If the lady will examine her amendment carefully she will see what is involved. I fear that the most desirable thing, leaving these companies in private ownership, would be affected. This would force municipal ownership of these companies against their will.

I know the lady is sincere in offering her amendment. If she will study it she will find if we will leave the situation as it is now, these private companies are working out their problems.

Mr. COLLIER. I believe the gentleman is oversimplifying, and he knows it. He knows that the private companies, from an economic standpoint, simply cannot operate under the conditions the gentlewoman from Washington [Mrs. MAY] has described. Why deal in conjecture or platitudes when the facts are they cannot continue business on that basis?

Mr. PATMAN. Mr. Chairman, I believe we have had a full discussion of this amendment. I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Washington [Mrs. MAY].

The question was taken; and on a division (demanded by Mrs. MAY) there were—ayes 38, noes 66.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 4, after line 6, add the following new section:

"SEC. 6. The section of the Urban Mass Transportation Act of 1964 redesignated as Section 11 by Section 5(a)(1) of this Act is amended by adding at the end thereof the following new subsection:

"'(f) It shall be unlawful for any person to damage or destroy, or attempt to damage or destroy, through a willful act committed as a part of or in connection with a riot or other civil disturbance, any vehicle which was acquired, constructed, or reconstructed with Federal financial assistance provided pursuant to Section 3 or Section 6 of this Act. Whoever violates this subsection shall be fined not more than $1,000 or imprisoned not more than two years or both.'"

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS] for 5 minutes.

Mr. GROSS. Mr. Chairman——

Mr. PATMAN. Mr. Chairman, I reserve a point of order.

Mr. GROSS. Mr. Chairman, I will not belabor this amendment with an unnecessarily long explanation——

Mr. PATMAN. Mr. Chairman, I just reserved a point of order on the amendment.

Mr. GROSS. I am sure that your point of order comes too late.

The CHAIRMAN. The Chair rules that the point of order comes too late. The gentleman from Iowa is recognized for 5 minutes.

Mr. GROSS. I am sure the gentleman from Texas, being the student of the rules he professes to be, knows when debate has started on an amendment it is too late to try to make a point of order.

Mr. PATMAN. It is an opinion as to who is on his feet and when.

Mr. GROSS. The Chair has ruled.

Mr. Chairman, I will take only a minute or two to explain this amendment, because it is perfectly obvious what the intent of the amendment is. It is to say to the rioters and demonstrators that they will be subject to penalty if they use fire bombs, rocks, bottles, and other weapons to damage vehicles provided by all the Federal taxpayers' money under the terms of this act. It is just that simple. I hope I may have the support of the Members of the House in behalf of an amendment which I think is in the interests of all the people.

Mr. GEORGE W. ANDREWS. Mr. Chairman, will the gentleman yield?

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

Mr. GEORGE W. ANDREWS. Mr. Chairman, I rise to commend the gentleman for offering this amendment. In my opinion, it is needed. It does not make sense for the Federal Government or for any private organization to put money in buses or subways and then have people who seem to be beyond the laws of the States or the cities destroy them by fire bombs, brickbats, and whatnot.

Mr. GROSS. It is an insufferable situation when the taxpayers of Iowa and all other States are called upon to provide the money for vehicles used for public transportation and then see those vehicles destroyed or damaged by rioters, demonstrators, and hoodlums.

Mr. REUSS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to this amendment, because the amendment which is proposed by the gentleman from Iowa, and which is seconded by the gentleman from Alabama, would destroy States rights in this country as we know them.

Let us see what the amendment does. Let us just take as an example the fine city of Waterloo, Iowa, which is in the State which the gentleman from Iowa has the honor to represent. The city of Waterloo has just, as of June 30, been the beneficiary of a grant under the Urban Mass Transit Act of 30 new buses to replace old equipment. They will get 30 new buses under this federally financed law. The utility there will have an additional 30 buses which they will procure outside of the Federal law.

Let us suppose two desperadoes from the East, with their hearts full of battery, come out to Waterloo and desperado No. 1 throws a rock and breaks a window in

a federally financed bus. Then desperado No. 2 takes a rock and breaks a window in a privately financed bus. The duly constituted law-enforcement officers of the great State of Iowa then find that as to the man who threw his rock against the locally financed bus, the orderly processes of the Iowa criminal law obtain.

But as to the man who came in and threw the rock at the federally financed bus, the Federal Government will have preempted that phase of the criminal law, and the great State of Iowa will be powerless to deal with it.

I hope, Mr. Chairman, that the amendment—which is so destructive of States rights—will be voted down.

Mr. WAGGONNER. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. WAGGONNER. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding. Mr. Chairman, in response to the gentleman from Wisconsin [Mr. REUSS], what I am trying to do is see to it that those buses about which he talks that go to the city of Waterloo, Iowa, are used for the purpose for which intended, and that is the safe transportation of passengers, and that demonstrators and rioters from Wisconsin and from Chicago do not come out and destroy them without at least being punished.

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

Mr. WAGGONNER. I shall be happy to yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Chairman, I commend the gentleman for his purpose, but the amendment, if I may say so, is so imperfectly drafted that it would produce just the opposite effect that the gentleman wants to accomplish, and that is why I urge that it be voted down.

Mr. GROSS. Mr. Chairman, will the gentleman from Louisiana yield further?

Mr. WAGGONNER. Yes. I yield.

Mr. GROSS. Mr. Chairman, I apologize to the gentleman from Wisconsin, being the perfectionist that he implies he is, for not asking him to draft the amendment for me. And, if the gentleman is such a perfectionist and is interested in protecting the transportation that he wants to provide through the enactment of this bill, the gentleman himself would have offered an amendment to take care of the situation.

Mr. WAGGONNER. Mr. Chairman, we here in the House of Representatives have long been concerned about the rules of the House, and we have always required that any amendment offered on or to any proposed legislation be germane.

Mr. Chairman, I do not believe anyone has questioned the germaneness of this particular amendment. But there is a matter of concern now that has not been before us too long. I believe we ought to give some consideration to it in this instance. I would just simply like to ask the gentleman from Iowa [Mr. GROSS], who offered the amendment, whether the gentleman has checked the amendment out with Judge Corcoran? After his incredible decision of yesterday with regard to the House Committee on Un-American Activities we can look for anything.

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

Mr. WAGGONNER. I yield further to the gentleman from Iowa.

Mr. GROSS. No; and I doubt very much that I will in view of the unbelievable decision to which the gentleman from Louisiana has referred.

Mr. WAGGONNER. I understand the point which the gentleman is trying to make. For my part Judge Corcoran should be forgotten. He has no place on the bench.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken, and on a division (demanded by Mr. GROSS), there were—ayes 49, noes 75.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 4, after line 6, insert the following:

"SEC. 6. (a) The Urban Mass Transportation Act of 1964 (as amended by this Act) is further amended by inserting after section 13 the following new section:

"'USE OF CERTAIN FUNDS FOR URBAN MASS TRANSPORTATION PURPOSES

"'SEC. 14. (a) The Governor of a State may elect to have any funds apportioned to such State after the date of enactment of this Act under section 104 of title 23, United States Code, made available, in a manner prescribed by regulations of the Secretary of Commerce, to the Secretary of Housing and Urban Development for making grants, for urban mass transportation purposes within such State, under section 3 of the Urban Mass Transportation Act of 1964.

"'(b) For purposes of this section:

"'(1) the term "State" includes the District of Columbia and Puerto Rico, and

"'(2) the term "Governor" means the chief executive officer of a State.'"

Mr. FALLON. Mr. Chairman, I make the point of order that the amendment offered by the gentleman from New York [Mr. RYAN] is not germane.

Mr. RYAN. Mr. Chairman, will the gentleman withhold his point of order and reserve it?

Mr. FALLON. Mr. Chairman, I will reserve my point of order.

The CHAIRMAN. The gentleman reserves his point of order.

Mr. RYAN. Mr. Chairman, this amendment does not increase the authorization and would not add to the cost of the program incorporated in the present bill. It does make it possible for a State at the option of the Governor to develop a more balanced transportation system.

Mr. Chairman, the pending bill, while very important and a major step forward does not provide adequate funds to meet our mass transit needs. If appropriated, $175 million will not be sufficient. If it is not appropriated—and under the act of 1964 we know that the Congress did not appropriate the full authorization—I believe that in the last fiscal year $130 million was appropriated despite an $150 million authorization—if the full amount is not appropriated, it will be all the more woefully inadequate.

In addition, there is a 12½-percent limitation which imposes an arbitrary ceiling on the amount which may go to any one State. We debated this point earlier this afternoon. We know that for the State of New York less than $22 million would be available for each year under this program, and that is for the entire State—not simply for the city of New York. This 12½-percent restriction applies throughout the country.

So it is clear that, if our chaotic transportation system is going to be reconstructed, if mass transit is to be adequately financed, we are going to have to reassess our priorities. Mr. Chairman, I suggest we must have an additional source of funds.

Last week we authorized $12 billion for the next 2 fiscal years under the Federal-aid highway program for highway construction. This is part of a $51 billion program. We are spending about 80 times as much per year for highways as will be authorized under this bill for mass transit.

Mr. Chairman, the discrepancy between the amount spent on highway construction and the amount spent on mass transit has resulted in chaotic transportation systems in our cities. We pour automobiles into our cities. Our cities are literally being choked to death by automobiles.

Mr. Chairman, the amendment which I offered provides an opportunity to correct this situation at the option of the Governors. There is no requirement placed upon the Governor. There is no compulsion involved. A Governor may use funds which are available for transportation either for highways or for mass transit to achieve the proper kind of mix.

Mr. Chairman, Congress has set aside billions of dollars for highway purposes. This fund is a logical source of funds to meet the mass transit needs which confront our Nation.

The concept of the mass transit bill before us is sound. It recognizes the Federal responsibility.

This bill, unfortunately, does not provide sufficient money. If the Governors are allowed to use highway funds which are apportioned to them, they can in their own judgment and discretion balance the two—balance the rails and roads. That will achieve a much more effective transportation system in our major urban centers.

Mr. Chairman, if large masses of people are to be moved efficiently in and out of our cities, we must make an investment way beyond the scope of this bill. It is essential to embark upon a massive grant program for mass transit and to develop comprehensive balanced transportation systems in metropolitan areas.

The CHAIRMAN. The time of the gentleman from New York has expired.

Does the gentleman from Maryland insist upon the point of order?

Mr. FALLON. Yes, Mr. Chairman.

Mr. Chairman, this amendment is designed to transfer funds from the highway trust fund to this pending author-

ization bill. I insist on the point of order on the ground that the amendment is not germane to the bill.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. RYAN. Yes, Mr. Chairman.

Mr. Chairman, may I simply say that last Thursday, August 11, when we considered the highway bill, I offered a similar amendment. At that time the Chair ruled that it was not germane because it dealt with mass transportation and was foreign to the highway bill then under consideration.

Today we are dealing with mass transportation and, therefore, if it was not germane last week, it certainly is germane today on this bill which is concerned with financing mass transportation. Last week this amendment was viewed as being relevant to mass transportation. In fact, the distinguished chairman of the Public Works Committee, the gentleman from Maryland [Mr. FALLON], suggested that this point be discussed this week when the Urban Mass Transportation Act of 1966 would be on the floor.

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

Mr. RYAN. I yield to the gentleman from Maryland.

Mr. FALLON. On that point you deal with urban transportation. You are not dealing with highway transportation. You are dealing with urban transportation, and I insist upon my point of order.

The CHAIRMAN. The Chair is prepared to rule. The amendment of the gentleman from New York clearly goes to funds covered under title 23. It is within the jurisdiction of the Committee on Public Works, and after carefully examining the rules the Chair is of the opinion that the amendment is not germane. The point of order is sustained.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. GERALD R. FORD. Mr. Chairman, I take this time only—and I do not intend to take the full 5 minutes—to announce that the motion to recommit will be the amendment which was previously offered by the gentleman from Ohio [Mr. HARSHA]. It will be offered as a motion to recommit by the gentleman from California [Mr. TALCOTT]. The motion to recommit will provide that the authorization will be reduced from $175 million per year to $150 million a year.

The motion to recommit will not have a continuing indefinite authorization. It will be limited to fiscal year 1968.

I reaffirm what I said a moment ago. The President in his budget document, in his recommendation to the Congress, proposed that the authorization be $150 million. The motion to recommit will coincide with the President's recommendation, and those who vote for the motion to recommit will be voting to support the President's budget. Those who vote against the motion to recommit will be voting to inflate the President's budget.

I yield back the balance of my time.

Mr. MULTER. Mr. Chairman, I rise to speak in opposition to the pro forma motion.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. MULTER. I think the point has already been made—and it should be restated—that despite the fine statement by the distinguished minority leader, the fact is that the instructions do more than address themselves to the budgetary requirements for fiscal 1968. The amendment would go much further. Instead of continuing this program under existing law for 3 years but requiring year-by-year appropriations, it will cut it off and require an authorization each year beginning with fiscal year 1968. That is the real purpose of the motion to recommit with these instructions, and that was the real purpose of the amendment. It was not so much to cut it back to $150 million, because that is all we called for in this bill as presented for fiscal year 1967. But the amendment and the motion to recommit would definitely go much farther and cut the program off at the end of fiscal 1967.

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

Mr. MULTER. I yield to the gentleman from Wisconsin.

Mr. REUSS. I wish to propound a question to the distinguished minority leader, the gentleman from Michigan [Mr. FORD]. Am I correct in my understanding that the motion to recommit, if adopted, would go counter to President Johnson's request for a 3-year authorization for the continuation of the urban mass transportation program?

Mr. GERALD R. FORD. The gentleman is correct in that regard. We are limiting the dollar amount and the dollar proposals submitted in the budget document by President Johnson.

Mr. REUSS. Yes, but in addition to limiting the dollar amounts, you are also cutting two-thirds out of the President's program by making it, in effect, for only 1 year rather than for 3 years. Is that not so?

Mr. GERALD R. FORD. That is correct, but if the gentleman will yield, I hasten to point out that this is a year or more hence, and it will give the next Congress ample opportunity to consider the program not only for fiscal 1968 but also for fiscal 1969.

I also would like to add that, as I understand it from existing law and the bill before us, the unused appropriations are committed for subsequent utilization. As I understand it from the 1964 act and the subsequent appropriation bill, there is approximately $55 million still available for subsequent fiscal years.

Mr. ROONEY of New York. Mr. Chairman, does the distinguished gentleman from New York yield?

Mr. MULTER. I yield to the gentleman from New York.

Mr. ROONEY of New York. Mr. Chairman, is it possible that this is the bill that was reported out of the Banking and Currency Committee by a vote of 29 to 1?

Mr. MULTER. The gentleman is correct.

Mr. ROONEY of New York. This is some procedure.

Mr. MULTER. May I suggest, with all due deference to the distinguished minority leader, that those of us on this side of the aisle can be relied on to sustain the President's program, rather than the gentlemen on the other side of the aisle.

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

Mr. MULTER. I yield to the gentleman from Michigan.

Mr. CEDERBERG. Mr. Chairman, I fail to understand why we cannot have a yearly authorization on this. With other members on the committee I was called to the White House, and we were given a stern lecture against doing what we are trying to do today, that is increasing his authorization request.

Mr. MULTER. Obviously the gentleman is confusing authorizations and appropriations.

Mr. CEDERBERG. No.

Mr. MULTER. This law does not change that. The gentleman wants us to come back each year for an authorization. This kind of program does not lend itself effectively to that procedure. We need an ongoing program authorized for 3 years and examined each year by means of annual appropriations.

Mr. CEDERBERG. Mr. Chairman, I move to strike the last word.

I do not want to leave the idea here that the President was talking about appropriations only when we were at the White House. He was also talking about authorizations. He mentioned some in particular—not particularly this one—but education and some other authorizations, and not only appropriations. He expressed a real concern.

I believe we will find out on this motion to recommit whether the Members will stay with the President's budget. He calls it highly inflationary if we go above the amount he requested in the authorization.

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

Mr. CEDERBERG. I yield to the gentleman from New York.

Mr. MULTER. Mr. Chairman, I will repeat that the gentlemen on this side of the aisle can be counted on, rather than those on the other side of the aisle, to support the President's program.

Mr. CEDERBERG. If the gentlemen are going to support the President, are they going to support the motion to recommit this as supporting the President?

Mr. MULTER. No, if the gentleman will yield further, we will vote against the motion to recommit, because it runs counter to the President's program on this bill by making it a 1 year program.

Mr. CEDERBERG. Will the gentleman explain how it runs counter? I fail to understand.

Mr. REUSS. Mr. Chairman, I will be glad to explain to the gentleman. It runs counter to the President's program, because the President asked for a 3-year program to permit orderly planning. The motion to recommit, as I understand it, provides only for 1 year.

It is true the President recommended only $150 million, rather than $175 million. The members of the committee were persuaded by the eloquent arguments of the distinguished minority leader on the committee, the gentleman from New Jersey [Mr. WIDNALL] to "bust" the President's budget to that extent in the authorization and Members will vote on it as they see fit.

Mr. CEDERBERG. I do not believe the committee is so busy that it cannot handle an annual authorization. I recall that we had this question on foreign aid. We went through this. It was changed 2 days later in the Senate, and they went back to annual authorization.

Mr. REUSS. I will tell the gentleman a good reason: When this bill was first adopted, in 1964, it was adopted with a 3-year authorization. That is what we are attempting to adopt today. In a program like this, we have to give the local communities an opportunity to plan. We cannot have an on-again, off-again, stop-start program.

I hope the motion to recommit is voted down.

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

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

Mr. CURTIS. If I am correct, the bill proposed by the committee has an indefinite authorization, not limited to 3 years at all. At least, this ties it down. So it looks like the committee was not paying any attention at all to what the President might have requested.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Moss, 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. 14810), to amend the Urban Mass Transportation Act of 1964 to authorize additional amounts for assistance thereunder, to authorize grants for certain technical studies, and to provide for an expedited program of research, development, and demonstration of new urban transportation systems, pursuant to House Resolution 948, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

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.

MOTION TO RECOMMIT

Mr. TALCOTT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. TALCOTT. I am opposed to it in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. TALCOTT moves to recommit the bill H.R. 14810 to the Committee on Banking and Currency with instructions to report the same back to the House forthwith with the following amendment: On page 2, lines 1 and 2, strike out "and $175,000,000 for each fiscal year thereafter." and insert in lieu thereof the following: "and $150,000,000 for fiscal year 1968."

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 205, nays 161, not voting 66, as follows:

[Roll No. 224]

YEAS—205

Abbitt
Abernethy
Adair
Andrews, George W.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Bandstra
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bolton
Bow
Brock
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Buchanan
Byrnes, Wis.
Cabell
Callan
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Cooley
Corbett
Cramer
Culver
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
de la Garza
Derwinski
Devine
Dickinson
Dingell
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Farnum
Findley
Fisher
Foley
Ford, Gerald R.
Fountain
Fulton, Tenn.
Fuqua
Gathings
Gettys
Gibbons
Goodell
Greigg
Grider
Griffiths
Gross
Grover
Gurney
Haley
Hall
Halleck
Hamilton
Hansen, Idaho
Hansen, Iowa
Hardy
Harsha
Harvey, Ind.
Harvey, Mich.
Hays
Hechler
Henderson
Horton
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jennings
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Kee
Kornegay
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Love
McClory
McCulloch
McDade
McEwen
McMillan
McVicker
MacGregor
Mahon
Marsh
Martin, Nebr.
Mathias
May
Michel
Mills
Minshall
Mize
Moeller
Moore
Morton
Mosher
Nedzi
Nelsen
O'Hara, Mich.
O'Konski
O'Neal, Ga.
Passman
Pelly
Pickle
Pirnie
Poage
Poff
Pool
Purcell
Quillen
Race
Randall
Redlin
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Roush
Rumsfeld
Satterfield
Saylor
Schmidhauser
Schneebeli
Selden
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stanton
Steed
Stratton
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Utt
Vigorito
Waggonner
Walker, N. Mex.
Watkins
Watson
Watts
Whalley
White, Tex.
Whitener
Williams
Wilson, Bob
Wright
Wyatt
Wydler
Younger

NAYS—161

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Beckworth
Bingham
Blatnik
Boggs
Boland
Brademas
Brooks
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cahill
Carey
Chelf
Clark
Craley
Daddario
Dawson
Delaney
Denton
Donohue
Dow
Dulski
Dwyer
Dyal
Edmondson
Edwards, Calif.
Fallon
Farbstein
Farnsley
Fascell
Feighan
Fino
Flood
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Gallagher
Giaimo
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Hagen, Calif.
Halpern
Hanley
Hanna
Hansen, Wash.
Hathaway
Helstoski
Hicks
Holifield
Howard
Hungate
Huot
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Karsten
Karth
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kupferman
Leggett
Long, Md.
McCarthy
McDowell
McFall
McGrath
Macdonald
Machen
Mackay
Mackie
Madden
Mailliard
Matsunaga
Meeds
Miller
Minish
Monagan
Morgan
Morse
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nix
O'Brien
O'Hara, Ill.
Olson, Minn.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pike
Price
Pucinski
Reid, N.Y.
Reuss
Rhodes, Pa.
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schisler
Schweiker
Secrest
Sickles
Sisk
Staggers
Stalbaum
Stubblefield
Sullivan
Sweeney
Tenzer
Thomas
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Udall
Ullman
Van Deerlin
Vanik
Vivian
Waldie
Weltner
Widnall
Wolff
Yates
Young
Zablocki

NOT VOTING—66

Anderson, Ill.
Andrews, Glenn
Baring
Barrett
Bolling
Bray
Brown, Calif.
Broyhill, Va.
Burton, Utah
Callaway
Cameron
Celler
Clevenger
Cohelan
Conyers
Corman
Daniels
Davis, Ga.
Dent
Diggs
Duncan, Oreg.
Edwards, La.
Flynt
Fogarty
Ford, William D.
Garmatz
Gubser
Hagan, Ga.
Hawkins
Hébert
Herlong
Holland
Kastenmeier
Keith
King, N.Y.
Landrum
Long, La.
Martin, Ala.
Martin, Mass.
Matthews
Mink
Moorhead
Morris
Morrison
Murray
Olsen, Mont.
O'Neill, Mass.
Powell
Quie
Rees
Resnick
Rivers, Alaska
Roncalio
Rostenkowski
Scott
Senner
Stephens
Toll
Tunney
Tupper
Tuten
Walker, Miss.
White, Idaho
Whitten
Willis
Wilson, Charles H.

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Baring for, with Mr. Celler against.

Mr. Bray for, with Mr. Cameron against.

Mr. Scott for, with Mr. Dent against.

Mr. Whitten for, with Mr. Daniels against.

Mr. Walker of Mississippi for, with Mr. O'Neill of Massachusetts against.

Mr. Anderson of Illinois for, with Mr. Fogarty against.

Mr. Glenn Andrews for, with Mr. Barrett against.

Mr. Burton of Utah for, with Mr. Garmatz against.

Mr. Murray for, with Mr. Cohelan against.

Mr. Matthews for, with Mr. Rostenkowski against.

Mr. Herlong for, with Mr. Corman against.

Until further notice:

Mr. Hébert with Mr. Quie.

Mr. Long of Louisiana with Mr. Tupper.

Mr. Edwards of Louisiana with Mr. Martin of Massachusetts.

Mr. Duncan of Oregon with Mr. Martin of Alabama.

Mr. Kastenmeier with Mr. King of New York.
Mr. Hawkins with Mr. Keith.
Mr. Roncalio with Mr. Gubser.
Mr. Resnick with Mr. Broyhill of Virginia.
Mr. Rivers of Alaska with Mr. Callaway.
Mr. Hagan of Georgia with Mr. Willis.
Mr. Diggs with Mr. Charles H. Wilson.
Mr. Davis of Georgia with Mrs. Mink.
Mr. Morris with Mr. Holland.
Mr. Senner with Mr. Olsen of Montana.
Mr. Stephens with Mr. Moorhead.
Mr. Rees with Mr. William D. Ford.
Mr. Flynt with Mr. Morrison.
Mr. Clevenger with Mr. Conyers.
Mr. Tunney with Mr. White of Idaho.
Mr. Tuten with Mr. Powell.

Mr. DINGELL and Mr. VIGORITO changed their vote from "no" to "aye."

The result of the vote was announced as above recorded.

Mr. PATMAN. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report the bill, H.R. 14810, back to the House with the following amendment:

On page 2, lines 1 and 2, strike out "and $175,000,000 for each fiscal year thereafter." and insert in lieu thereof the following: "and $150,000,000 for fiscal year 1968."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, lines 1 and 2, strike out "and $175,000,000 for each fiscal year thereafter." and insert in lieu thereof the following: "and $150,000,000 for fiscal year 1968."

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

Mr. TALCOTT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 235, nays 127, not voting 69, as follows:

[Roll No. 225]

YEAS—235

Adair	Casey	Fallon
Adams	Chelf	Farbstein
Addabbo	Clark	Farnum
Albert	Clausen, Don H.	Fascell
Anderson, Tenn.	Conable	Feighan
Annunzio	Conte	Fino
Ashley	Corbett	Flood
Aspinall	Craley	Foley
Ayres	Cunningham	Ford, Gerald R.
Bates	Curtin	Fraser
Beckworth	Daddario	Frelinghuysen
Bell	Dague	Friedel
Bingham	Davis, Wis.	Fulton, Pa.
Blatnik	Dawson	Fulton, Tenn.
Boggs	Delaney	Gallagher
Boland	Denton	Giaimo
Bolton	Dingell	Gibbons
Bow	Donohue	Gilbert
Brademas	Dow	Gilligan
Brooks	Dulski	Gonzalez
Broomfield	Dwyer	Goodell
Burke	Dyal	Grabowski
Burton, Calif.	Edmondson	Gray
Byrne, Pa.	Edwards, Calif.	Green, Oreg.
Cabell	Ellsworth	Green, Pa.
Cahill	Erlenborn	Griffiths
Callan	Evans, Colo.	Grover
Carey	Everett	Hagen, Calif.
		Halpern
Hanley	Mathias	Ryan
Hanna	Matsunaga	St Germain
Hansen, Iowa	May	St. Onge
Hansen, Wash.	Meeds	Saylor
Hardy	Michel	Scheuer
Hathaway	Miller	Schisler
Hays	Minish	Schmidhauser
Hechler	Minshall	Schweiker
Helstoski	Mize	Secrest
Hicks	Monagan	Shipley
Holifield	Moore	Shriver
Horton	Morgan	Sickles
Hosmer	Morse	Sisk
Howard	Morton	Slack
Hungate	Mosher	Smith, N.Y.
Huot	Moss	Springer
Irwin	Multer	Staggers
Jacobs	Murphy, Ill.	Stalbaum
Joelson	Murphy, N.Y.	Stanton
Johnson, Calif.	Natcher	Stratton
Johnson, Okla.	Nedzi	Stubblefield
Jones, Ala.	Nix	Sullivan
Karsten	O'Brien	Sweeney
Karth	O'Hara, Ill.	Tenzer
Kee	Olson, Minn.	Thomas
Keith	Ottinger	Thompson, N.J.
Kelly	Patman	Thompson, Tex.
Keogh	Patten	Todd
King, Calif.	Pelly	Trimble
King, Utah	Pepper	Udall
Kirwan	Perkins	Ullman
Kluczynski	Philbin	Van Deerlin
Krebs	Pike	Vanik
Kunkel	Pirnie	Vigorito
Kupferman	Price	Vivian
Leggett	Pucinski	Waldie
Long, Md.	Randall	Walker, N. Mex.
Love	Redlin	Watts
McCarthy	Reid, N.Y.	Weltner
McDade	Reinecke	White, Tex.
McDowell	Reuss	Widnall
McFall	Rhodes, Pa.	Wolff
McGrath	Robison	Wright
McVicker	Rodino	Wyatt
Macdonald	Rogers, Colo.	Wydler
MacGregor	Ronan	Yates
Machen	Rooney, N.Y.	Young
Mackay	Rooney, Pa.	Younger
Mackie	Rosenthal	Zablocki
Madden	Roybal	
Mailliard	Rumsfeld	

NAYS—127

Abbitt	Findley	O'Konski
Abernethy	Fisher	O'Neal, Ga.
Andrews, George W.	Fountain	Passman
Andrews, N. Dak.	Fuqua	Pickle
Arends	Gathings	Poage
Ashbrook	Gettys	Poff
Ashmore	Greigg	Pool
Bandstra	Grider	Purcell
Battin	Gross	Quillen
Belcher	Gurney	Race
Bennett	Haley	Reid, Ill.
Berry	Hall	Reifel
Betts	Halleck	Rhodes, Ariz.
Brock	Hamilton	Rivers, S.C.
Brown, Clarence J., Jr.	Hansen, Idaho	Roberts
Broyhill, N.C.	Harsha	Rogers, Fla.
Buchanan	Harvey, Ind.	Rogers, Tex.
Burleson	Harvey, Mich.	Roudebush
Byrnes, Wis.	Henderson	Roush
Carter	Hull	Satterfield
Cederberg	Hutchinson	Schneebeli
Chamberlain	Ichord	Selden
Clancy	Jarman	Sikes
Clawson, Del	Jennings	Skubitz
Cleveland	Johnson, Pa.	Smith, Calif.
Collier	Jonas	Smith, Iowa
Colmer	Jones, Mo.	Smith, Va.
Cooley	Jones, N.C.	Stafford
Cramer	Kornegay	Steed
Culver	Laird	Talcott
Curtis	Langen	Taylor
de la Garza	Latta	Teague, Calif.
Derwinski	Lennon	Teague, Tex.
Devine	Lipscomb	Thomson, Wis.
Dickinson	McClory	Tuck
Dole	McCulloch	Utt
Dorn	McEwen	Waggonner
Dowdy	McMillan	Watson
Downing	Mahon	Whalley
Duncan, Tenn.	Marsh	Whitener
Edwards, Ala.	Martin, Nebr.	Williams
	Mills	Wilson, Bob
	Moeller	
	Nelsen	

NOT VOTING—69

Anderson, Ill.	Brown, Calif.	Cohelan
Andrews, Glenn	Broyhill, Va.	Conyers
Baring	Burton, Utah	Corman
Barrett	Callaway	Daniels
Bolling	Cameron	Davis, Ga.
Bray	Celler	Dent
	Clevenger	Diggs
Duncan, Oreg.	Landrum	Rivers, Alaska
Edwards, La.	Long, La.	Roncalio
Evins, Tenn.	Martin, Ala.	Rostenkowski
Farnsley	Martin, Mass.	Scott
Flynt	Matthews	Senner
Fogarty	Mink	Stephens
Ford, William D.	Moorhead	Toll
Garmatz	Morris	Tunney
Gubser	Morrison	Tupper
Hagan, Ga.	Murray	Tuten
Hawkins	O'Hara, Mich.	Walker, Miss.
Hébert	Olsen, Mont.	Watkins
Herlong	O'Neill, Mass.	White, Idaho
Holland	Powell	Whitten
Kastenmeier	Quie	Willis
King, N.Y.	Rees	Wilson, Charles H.
	Resnick	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Watkins for, with Mr. Bray against.
Mr. Martin of Massachusetts for, with Mr. Glenn Andrews against.

Until further notice:

Mr. Hébert with Mr. Tupper.
Mr. O'Neill of Massachusetts with Mr. King of New York.
Mr. Resnick with Mr. Gubser.
Mr. Kastenmeier with Mr. Anderson of Illinois.
Mr. Brown of California with Mr. Broyhill of Virginia.
Mr. Holland with Mr. Burton of Utah.
Mr. Rees with Mr. Callaway.
Mr. Senner with Mr. Walker of Mississippi.
Mr. Cohelan with Mr. Quie.
Mr. Clevenger with Mr. Martin of Alabama.
Mr. Diggs with Mrs. Mink.
Mr. Duncan of Oregon with Mr. Long of Louisiana.
Mr. Conyers with Mr. Charles H. Wilson.
Mr. White of Idaho with Mr. Whitten.
Mr. Evins with Mr. Farnsley.
Mr. Fogarty with Mr. Willis.
Mr. Garmatz with Mr. Edwards of Louisana.
Mr. Daniels with Mr. Davis of Georgia.
Mr. Corman with Mr. Celler.
Mr. Cameron with Mr. Baring.
Mr. Hawkins with Mr. Barrett.
Mr. Rostenkowski with Mr. Scott.
Mr. Tunney with Mr. Stephens.
Mr. Tutten with Mr. Matthews.
Mr. Norris with Mr. Moorhead.
Mr. Dent with Mr. Morrison.
Mr. O'Hara of Michigan with Mr. Hagan of Georgia.
Mr. Olsen of Montana with Mr. Flynt.
Mr. William D. Ford with Mr. Powell.
Mr. Rivers of Alaska with Mr. Roncalio.
Mr. Herlong with Mr. Landrum.

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

The result of the vote was announced as above recorded.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 3700) to amend the Urban Mass Transportation Act of 1964, strike out all after the enacting clause and insert in lieu thereof the provisions of H.R. 14810, to amend the Urban Mass Transportation Act of 1964 to authorize additional amounts for assistance thereunder, to authorize grants for certain technical studies, and to provide for an expedited program of research, development, and demonstration of new urban transportation systems, just passed.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read as follows:

S. 3700

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

AUTHORIZATION

SECTION 1. (a) The first sentence of section 4(b) of the Urban Mass Transportation Act of 1964 is amended by striking out "$150,000,000 for fiscal year 1967" and inserting in lieu thereof "$150,000,000 for each of the fiscal years 1967, 1968, and 1969".

(b) Section 6(b) of such Act (redesignated section 6(c) by section 3 of this Act) is amended by striking out "and to $30,000,000 on July 1, 1966" and inserting in lieu thereof "to $30,000,000 on July 1, 1966, to $40,000,000 on July 1, 1967, and to $50,000,000 on July 1, 1968".

ASSISTANCE FOR CERTAIN TECHNICAL STUDIES AND TRAINING PROGRAMS

SEC. 2. (a) The Urban Mass Transportation Act of 1964 is amended—

(1) by redesignating sections 9 through 12 as sections 12 through 15, respectively; and

(2) by inserting after section 8 the following new sections:

"GRANTS FOR TECHNICAL STUDIES

"SEC. 9. The Secretary is authorized to make grants to States and local public bodies and agencies thereof for the planning, engineering, and designing of urban mass transportation projects, and for other technical studies, to be included, or proposed to be included, in a program (completed or under active preparation) for a unified or officially coordinated urban transportation system as a part of the comprehensive planned development of the urban area. Activities assisted under this section may include (1) studies relating to management, operations, capital requirements, and economic feasibility; (2) preparation of engineering and architectural surveys, plans, and specifications; and (3) other similar or related activities preliminary to and in preparation for the construction, acquisition, or improved operation of mass transportation systems, facilities, and equipment. A grant under this section shall be made in accordance with criteria established by the Secretary and shall not exceed two-thirds of the cost of carrying out the activities for which the grant is made.

"GRANTS FOR MANAGERIAL TRAINING PROGRAMS

"SEC. 10. (a) The Secretary is authorized to make grants to States, local bodies, and agencies thereof to provide fellowships for training of personnel employed in managerial, technical, and professional positions in the urban mass transportation field. Fellowships shall be for not more than one year of advanced training in public or private nonprofit institutions of higher education offering programs of graduate study in business or public administration, or in other fields having application to the urban mass transportation industry. The State, local body, or agency receiving a grant under this section shall select persons for such fellowships on the basis of demonstrated ability and for the contribution which they can reasonably be expected to make to an efficient mass transportation operation. Not more than one hundred fellowships shall be awarded in any year, and the amount of any such fellowship shall not exceed an amount equal to (1) 75 per centum of the sum of the costs of education incurred by an individual receiving such fellowship and the amount by which such individual's salary is reduced during the period of his training, or (2) $12,000, whichever is the lesser.

"(b) Not more than 12½ per centum of the fellowships authorized pursuant to subsection (a) shall be awarded for the training of employees of mass transportation companies in any one State.

"(c) The Secretary may make available to finance grants under this section not to exceed $1,500,000 per annum of the grant funds appropriated pursuant to section 4(b).

"GRANTS FOR RESEARCH AND TRAINING IN URBAN TRANSPORTATION PROBLEMS

"SEC. 11. (a) The Secretary is authorized to make grants to public and private nonprofit institutions of higher learning to assist in establishing or carrying on comprehensive research in the problems of transportation in urban areas. Such grants shall be used to conduct competent and qualified research and investigations into the theoretical or practical problems of urban transportation, or both, and to provide for the training of persons to carry on further research or to obtain employment in private or public organizations which plan, construct, operate, or manage urban transportation systems. Such research and investigations may include, without being limited to, the design and functioning of urban mass transit systems; the design and functioning of urban roads and highways; the interrelationship between various modes of urban and interurban transportation; the role of transportation planning in overall urban planning; public preferences in transportation; the economic allocation of transportation resources; and the legal, financial, engineering, and esthetic aspects of urban transportation. In making such grants the Secretary shall give preference to institutions of higher learning that undertake such research and training by bringing together knowledge and expertise in the various social sciences and technical disciplines that relate to urban transportation problems.

"(b) The Secretary may make available to finance grants under this section not to exceed $3,000,000 per annum of the grant funds appropriated pursuant to section 4(b)."

(b) Such Act is further amended—

(1) by striking out "section 10(c)" in section 3(c) and inserting in lieu thereof "section 13(c)"; and

(2) by striking out "under this Act" in section 13(c) (as redesignated by subsection (a)) and inserting in lieu thereof "under section 3 of this Act".

RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROJECT

SEC. 3. Section 6 of the Urban Mass Transportation Act of 1964 is amended by redesignating subsections (b) and (c) as subsections (c) and (d), and by adding after subsection (a) a new subsection as follows:

"(b) The Secretary shall, in consultation with the Secretary of Commerce, undertake a project to study and prepare a program of research, development, and demonstration of new systems of urban transportation that will carry people and goods within metropolitan areas speedily, safely, without polluting the air, and in a manner that will contribute to sound city planning. The program shall (1) concern itself with all aspects of new systems of urban transportation for metropolitan areas of various sizes, including technological, financial, economic, governmental, and social aspects; (2) take into account the most advanced available technologies and materials; and (3) provide national leadership to efforts of States, localities, private industry, universities, and foundations. The Secretary shall report his findings and recommendations to the President, for submission to the Congress, as rapidly as possible and in any event not later than eighteen months after the effective date of this subsection."

STATE LIMITATION

SEC. 4. Section 15 of the Urban Mass Transportation Act of 1964 (as redesignated by section 2 of this Act) is amended by striking out the period and inserting in lieu thereof the following: ": *Provided*, That the Secretary shall first reallocate sums not used in any fiscal year within the limitation herein prescribed and may thereafter without regard to such limitation, enter into contracts for grants under section 3 aggregating not to exceed $12,500,000 (subject to the total authorization provided in section 4(b)) with local public bodies and agencies in States where more than two-thirds of the maximum grants permitted in the respective State under this section has been obligated."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: Strike out all after the enacting clause and insert the following:

"That this Act may be cited as the 'Urban Mass Transportation Act of 1966'.

"SEC. 2. The first sentence of section 4(b) of the Urban Mass Transportation Act of 1964 is amended by striking out 'and $150,000,000 for fiscal year 1967' and inserting in lieu thereof '$150,000,000 for fiscal year 1967; and $150,000,000 for fiscal year 1968'.

"SEC. 3. Section 6(b) of the Urban Mass Transportation Act of 1964 is amended by striking out 'and to $30,000,000 on July 1, 1966' and inserting in lieu thereof 'to $30,000,000 on July 1, 1966, to $40,000,000 on July 1, 1967, and to $50,000,0 on July 1, 1968'.

"SEC. 4. The Secretary of Housing and Urban Development shall, in consultation with the Secretary of Commerce, undertake a study to prepare a program of research, development, and demonstration of new systems of urban transportation that will carry people and goods within metropolitan areas speedily, safely, without polluting the air, and in a manner that will contribute to sound city planning. The program shall (1) concern itself with all aspects of new systems of urban transportation for metropolitan areas of various sizes, including technological, financial, economic, governmental, and social aspects; (2) take into account the most advanced available technologies and materials; and (3) provide national leadership to efforts of States, localities, private industry, universities, and foundations. The Secretary shall report his findings and recommendations to the President, for submission to the Congress, as rapidly as possible and in any event not later than eighteen months after the date of enactment of this Act. There are authorized to be appropriated such amounts as may be necessary for its preparation.

"SEC. 5. (a) The Urban Mass Transportation Act of 1964 (as amended by this Act) is further amended—

"(1) by redesignating sections 9 through 12 as sections 10 through 13, respectively; and

"(2) by inserting after section 8 the following new section:

" 'GRANTS FOR TECHNICAL STUDIES

" 'SEC. 9. The Secretary is authorized to make grants to States and local public bodies and agencies thereof for the planning, engineering, and designing of urban mass transportation projects, and for other technical studies, to be included, or proposed to be included, in a program (completed or under active preparation) for a unified or officially coordinated urban transportation system as a part of the comprehensively planned development of the urban area. Activities assisted under this section may include (1) studies relating to management, operations, capital requirements, and economic feasibility; (2) preparation of engineering and architectural surveys, plans, and specifications; and (3) other similar or related activities preliminary to and in preparation for the construction, acquisition, or improved operation of mass transportation systems, facili-

ties, and equipment. A grant under this section shall be made in accordance with criteria established by the Secretary and shall not exceed two-thirds of the cost of carrying out the activities for which the grant is made.'

"(b) Section 3(c) of such Act is amended by striking out 'section 10(c)' and inserting in lieu thereof 'section 11(c)'."

The amendment was agreed to.

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

A similar House bill was laid on the table.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the House insist upon its amendment to the Senate bill (S. 3700), and that the House request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. PATMAN, MULTER, BARRETT, Mrs. SULLIVAN, Messrs. REUSS, ASHLEY, WIDNALL, FINO, and Mrs. DWYER.

GENERAL LEAVE TO EXTEND

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed, either before or after the passage of the bill, and to include therein extraneous remarks.

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

There was no objection.

BARKLEY LOCK AND DAM PROJECT

Mr. STUBBLEFIELD. 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 Kentucky?

There was no objection.

Mr. STUBBLEFIELD. Mr. Speaker, August 20 will be a proud day for Kentucky. On that date the Barkley lock and dam project, named after the late Vice President from Kentucky, will be dedicated by the Vice President of the United States.

Located near the mouth of the Cumberland River, this multipurpose project provides for flood control, navigation improvement, and power production. In addition, the people of this area will enjoy important supplemental benefits in recreation, water supply, and enhancement to industrial development. Its construction has made possible the creation of one of the largest and most beautiful recreational areas in the United States, which will be visited annually by hundreds of thousands of people from all sections of the country.

The foresight, dedication, and hard work of many people made the realization of this project possible. In this connection I include in the RECORD an article by Bill Powell that appeared in the Paducah Sun-Democrat of August 5, 1966:

RESOLUTION BY CLEMENTS WAS A KEY MEASURE

In 1955 Barkley Dam had only a frail foothold in Congress. Legislators had provided $200,000 for the project—it was to be used for what they called "work to commence the planning for construction."

Still in the path of the project, which at that time was to cost an estimated $167,000,000 were many barriers. The program was in a delicate stage; anything could have thrown it off balance or into the limbo of lost projects.

On April 30, 1956, Alben W. Barkley died.

As you know, he fell dead while dramatically addressing a mock Democratic convention at Washington and Lee University.

Soon after the Veep's death—while his last words of "I would rather be a servant in the house of the Lord than to sit in the seats of the mighty" were still ringing in the world's ears—Sen. Earle C. Clements of Morganfield introduced a significant resolution in the Senate.

Actually, it was a joint Senate-House resolution which meant that it had great weight.

The resolution was to name the dam on the lower Cumberland, a delicate project which hadn't come to a head and which had hard days ahead, after Alben W. Barkley.

The resolution was enacted into law May 24, 1956. In its report to the Senate recommending approval of the resolution, the Senate Public Works Committee said:

"The lower Cumberland lock and dam project is located in the district in which the late Alben W. Barkley resided. He was always a strong advocate and supporter of this project.

"The committee believes it fitting and proper that this dam and reservoir bear the name of Barkley Dam and Lake Barkley in honor of the great statesman and beloved American from Kentucky, who so ably served his state and nation in public office for over 50 years. This committee realizes that no engineering structure is capable of symbolizing the greatness of the man Alben W. Barkley but we can honor his life in a modest manner by having this dam and reservoir bear his name."

Initial funds for construction of the dam were made available that same year. An appropriation of $1,100,000 for the project separated it from what they call preliminary or "in the study stage."

The project then rolled along.

It is there now, for all to see. Through June, 1966, a total of $138,516,000 had been appropriated for the project. Now $3,484,000 has been recommended for completion of the great dam.

It is significant—and it should be of interest to those who think the government runs wild on all kinds of expenditures—that the original Barkley Dam estimate was $167,000,000 and that it will be completed for $142,000,000.

Seeing Barkley Dam in every stage of construction, and sweating through the news obligations of bitter relocation and giving up of homes, I believe that the project has been a model in efficiency and economy.

The "saving" of $25,000,000 is a startling contrast to the usual tale—the spending of an extra $25,000,000.

Perhaps Earle C. Clements would be embarrassed by my evaluation of his role in the Barkley Dam program.

But it is clear that his quick thoughtful resolution in honor of Barkley untangled all of the underbrush that lay in the path of Barkley Dam.

The tribute wasn't a maneuver but it had the same effect.

As Clements put through his resolution, which was proper and in perfect perspective, the future of the dam was assured.

After it had the name of Alben W. Barkley, the project had the magic it took for success.

The dedication will be a big occasion.

Earle C. Clements will be on the main platform, as he should be. So will FRANK ALBERT STUBBLEFIELD and Noble Gregory and other Kentucky lawmakers who shared in the effort to make Barkley Dam a reality.

Of these special thanks should be extended to Congressman WILLIAM H. NATCHER. Back in 1955 the House Appropriations Committee deleted the initial appropriation for planning and survey of this project. Had it not been for our good friend and neighbor BILL NATCHER, a member of the Committee, who rose on the House Floor and successfully offered an amendment to restore these funds, this project would have been needlessly delayed and possibly endangered.

The vice president of the United States will dedicate the dam and lake, and the canal connecting the lakes.

I would not be surprised to see 30,000 people there.

Clements, remembering that balmy May after the Veep died, can sit up there on the speakers stand and modestly wonder if all this would have taken place if his resolution hadn't passed back in 1956.

I doubt if it would.

There are turning points in everything. Sometimes they are extremely delicate.

NEW YORK PROGRAM EXCEEDS CONGRESSIONAL INTENT IN MEDICARE LEGISLATION

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. STRATTON. Mr. Speaker, last year Congress approved the medicare program. It was considered a very controversial program, and debate was sharp and bitter before the legislation was finally approved. Incidentally I was one who supported medicare strongly. At the same time we approved medicare, Mr. Speaker, Congress also approved, almost without any real debate, title 19 of that legislation. Title 19 was to be a modest extension of the previous Kerr-Mills legislation, and nobody regarded it as even being controversial. It was presented as a modest adjunct to the major controversial medicare program we were adopting. We left it up to the individual States, as we had previously done with Kerr-Mills, to work out the specific details for implementing title 19, assuming the States, as had been the case with Kerr-Mills, would exercise reason and restraint in doing so.

Most States who have taken advantage of title 19 have done exactly that, Mr. Speaker. But one of them, my own State of New York, as I mentioned earlier today in this Chamber, has gone far beyond anything that Congress ever contemplated or than the precise wording of title 19 ever covered. The extent of this New York program, in part financed by the Federal Government and indirectly as well as directly made possible by Federal contributions, goes far beyond what Congress intended, and its total costs are nothing short of fantastic, estimated by the Department of Health,

Education, and Welfare, according to the New York Times, on August 13, to reach $1.4 billion a year by 1970.

The New York Times also reports, Mr. Speaker, that despite these facts the Department of Health, Education, and Welfare, is soon to approve of this fantastic plan as "reasonable in character," even though it clearly deviates from both the wording and the intent of the law in at least three specific instances. If HEW approves the plan, Mr. Speaker, the New York congressional delegation has been told that this represents a "moral commitment" by Congress to appropriate the very substantial Federal funds that it will require.

In view of the Nation's present financial situation it would of course be ridiculous for anyone to give any assurance that Congress would give any State such a blank check. No one can assure the appropriation of such funds by this Congress, and hence approval of the New York State medical plan by HEW could be seriously misleading to the State of New York and could lead to substantial fiscal troubles within the State if such so-called morally committed Federal funds are not in fact appropriated by Congress.

I have said the New York program goes far beyond both the letter and the intent of Congress in approving title 19 last year. Let me be specific. Here are three serious and crucial divergences in the New York law.

First. The New York program applies to persons generally between 21 and 65, whereas title 19 is specifically limited to persons who are blind, disabled, and to families of "dependent" children as that term is defined in the Federal aid-to-dependent-children program.

Second. The New York program makes some 45 percent of the State population eligible for medical assistance made possible, at least indirectly, by title 19 Federal funds, in contrast to only 4 percent of the population who have been receiving welfare assistance prior to the passage of medicaid. This is clearly and unequivocally not a "reasonable" escalation of welfare benefits under our legislation.

Third. The total Federal share of the cost of the New York State program would appear to, on the basis of the figures reported in the New York Times, represent almost twice the amount actually allocated by Congress and the Department for contributing to title 19 programs across the whole 50 States. This too is clearly unreasonable and excessive in character, and should never be approved or endorsed by the Department.

I have, therefore, asked Secretary Gardner to furnish to me and to any other members of the New York congressional delegation who may be interested the full fiscal estimates of the Department on the costs of the New York plan. I have also asked him to defer any approval of the New York plan at least until our delegation has an opportunity to study these estimates, a cost, by the way, which far exceeds the estimates given to us earlier this year by both New York State authorities and HEW officials.

In the meantime, Mr. Speaker, I urge the Committee on Ways and Means to examine the New York implementation of title 19 very carefully, and I specifically urge them to approve those amendments to this title 19 law which I have offered in H.R. 15917.

Adoption of H.R. 15917 would, I believe, not only make the kind of unreasonable and excessive implementation of title 19 such as New York has developed impossible, but would outline in greater detail the kind of implementation which Congress intended when title 19 was originally passed last year, unfortunately with hardly a word of dissent or a word of debate.

Under leave to extend my remarks, I include the telegram I sent to Secretary Gardner and also the August 13 article from the New York Times to which I have referred:

AUGUST 15, 1966.

Hon. JOHN W. GARDNER,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.:

Greatly disturbed Saturday New York Times story you plan to approve New York State Medicaid plan implementing title nineteen as "reasonable in character" despite state's massive underestimation of plan's costs and three sharp and distinct deviations from letter and intent of 1965 legislation. Request you present same detailed HEW estimates of cost of New York plan your office presented to Ways and Means Committee to myself and other New York State Members of Congress who may desire such information and that you defer any contemplated approval of New York State plan at least until we have had a chance to study these estimates. New York Times story suggests cost far in excess of those given New York State congressional delegation in May. If Times story correct Congress most unlikely to appropriate Federal contribution you say New York plan will involve and HEW approval would therefore mistakenly suggest to New York moral commitment by Congress to appropriate funds we might well decline to appropriate.

SAMUEL S. STRATTON,
Member of Congress.

COST OF MEDICAID IN 1970 ESTIMATED AT $1.4 BILLION

WASHINGTON, August 12.—Federal officials have told Congress that New York State's program of medical aid for the indigent will cost $1.4-billion a year by the time it is in full-scale operation in 1970.

This figure represents the total cost of providing free medical assistance for the seven million in the state who are eligible to take advantage of it. The cost would be shared by Federal, state and local governments.

The estimate, made by officials of the Department of Health, Education and Welfare at closed hearings of the House Ways and Means Committee, far exceeds any figure provided by Governor Rockefeller in discussing the controversial program.

Mr. Rockefeller has said that the plan, called Medicaid, should cost $532-million in the 1966–67 fiscal year that began July 1. According to the Governor, this would be financed by $217-million in Federal contributions, $171-million from the state and $144-million from the localities.

APPROVAL EXPECTED

About the same number of New York residents will be eligible for assistance under the plan in 1970 as today, but officials assume that more of them will apply for benefits each year as public awareness of the program spreads.

If the Federal figure of $1.4-billion is correct, however, the Rockefeller administration radically underestimated the over-all cost of the program. The state projections had indicated the cost would only increase about $85-million a year due to wider participation.

Federal health officials declined to elaborate on the total cost figure furnished to Congress. They said it was an actuarial estimate that was apparently based on different assumptions and projections than the ones used by Governor Rockefeller.

Federal authorities maintained, however, that the overwhelming potential cost of the New York program was not likely to result in its disapproval by the Health, Education and Welfare Department.

The New York plan has been under consideration by Health, Education and Welfare officials for about two months. They must approve it before the plan can become eligible for the 50 percent share of Federal aid.

As long as any state program meets the requirements of Title 19 of the Medicare Law and is "reasonable" in character, officials say, it should be approved and go into operation.

The New York program has attracted attention because the enabling state legislation and regulations extended medical assistance to persons of considerably higher income than Congress had originally envisioned or any other state had been willing to provide for.

Under the New York plan, a family of four with an annual income as high as $6,000 after taxes would have all its medical expenses paid by the government. Critics have maintained such a family is not genuinely indigent.

Late in the 1966 session, the New York Legislature amended the legislation to reduce the benefits to those eligible. The major change—a deductible feature under which any family would pay the first $100 of its medical bills—would only reduce the total cost by $50 million, Federal officials estimate.

In some upstate communities, Governor Rockefeller's popularity has reportedly declined because of his endorsement of the plan, but some Republicans believe the plan's beneficiaries may outnumber its critics by election day.

TRIBUTE TO JULES DUBOIS

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. PUCINSKI. Mr. Speaker, it was with great regret that the world of journalism, and indeed, the free world, learned today of the death of Jules Dubois, veteran Latin American correspondent for the Chicago Tribune. According to the Associated Press dispatch, he was found dead of an apparent heart attack, in his hotel room in Bogotá, Colombia.

Jules Dubois was one of the most courageous correspondents ever produced in this country. I knew him well. He had the courage of his convictions. As a newspaperman he provided for South America and this entire continent that kind of courageous coverage that exposed dictatorships and conspiracies to suppress the freedoms of man.

Jules Dubois was the first correspondent to identify Castro as a Communist, and, through his relentless writings and exposures, he called this to the attention of the entire hemisphere and, indeed, of the free world.

Mr. Speaker, I am sure all of us are going to miss Jules Dubois and his fearless and penetrating reporting. He has changed the course of history in the South American Continent. It is my fervent hope that the work he started will not go unheeded.

I extend to his family and to the Chicago Tribune my deepest condolences for the loss of a great man, a great reporter, and a courageous journalist.

Mr. Speaker, I insert at this point the ticker report of the death of Jules Dubois.

The matter referred to follows:

BOGOTÁ, COLOMBIA.—Jules DuBois, veteran Latin American correspondent for the Chicago Tribune, was found dead today apparently of a heart attack in his hotel room. He was 56.

DuBois had come here to report on a conference of the Presidents of Venezuela, Colombia and Chile.

The hotel spokesman said he returned from the conference last night, complained of feeling tired and around midnight asked that an oxygen tent be sent up to his room.

An autopsy may be performed, although the hotel physician attributed his death to a heart attack.

The U.S. Embassy in Bogotá notified the State Department in Washington of DuBois' death.

A Latin American correspondent for the Tribune since 1947, DuBois was a member of the Board of Directors of the Inter American Press Association (IAPA) and was chairman of its Freedom of the Press Committee for 15 years before he resigned last year.

DuBois began his newspaper career as a reporter on the New York Herald Tribune in 1927. In 1929 he went to work for the Panama American. There followed various assignments on a number of Panama newspapers before he joined the Chicago Tribune.

He was editor of the Panama Times 1931-32, editor and publisher of the Panama Free Press in 1940 and assistant to the president and publisher of the Star and Herald in 1946-47.

During his IAPA term, DuBois championed the cause of press freedom throughout the Americas. He often engaged in vigorous campaigns against dictators who clamped government controls over newspapers, broadcasting stations and other news media.

DuBois was almost always on the move throughout Latin America and he was known in every capital. In recent years he had made his home in Coral Gables, Fla.

INJUNCTION AGAINST HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. WATSON. 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 South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, unless this body challenges the decision by U.S. District Judge Howard F. Corcoran in issuing a restraining order against the hearing by the House Un-American Activities Committee, then Congress may as well abdicate all of its responsibilities to the executive and judicial branches. His decision constitutes a blatant disregard for the rights of Congress and the interests of the American people.

It is obvious that this decision is just another step by the Federal judiciary in protecting groups who are sworn enemies of this Nation. Judge Corcoran's decision to obstruct the work of a standing committee of the House is a boost to the Communist Party and other more revolutionary groups, who are dedicated to overthrowing this Government.

Congress should seriously consider his removal from the bench. His unprecedented order is obviously a manifestation of his desire to enjoin legally constituted action by Congress.

Despite the decision by the three-judge special court to overrule his decision, that court declared it would consider any future moves to curtail the work of the committee at any time.

This is completely fallacious reasoning by the special court. Any attempt by a court to interfere with the investigative arm of Congress should be viewed with alarm. If Judge Corcoran's decision, or any related decision, is allowed, we will witness the end of any semblance of federalism in this country.

I cannot stress too greatly how serious the problem of antiwar demonstrations has become. The American people must be made aware of the obvious Communist influence which is behind these demonstrations against our war effort. If there has ever been an area that required an investigation by the Un-American Activities Committee, this is it. While our men are giving their lives for freedom in the jungles of Vietnam, these so-called peaceniks, prompted by forces of subversion, are undermining the very structure of our Government. If any of my colleagues are of the opinion that these groups are advocating nonviolence and are not dedicated to the violent overthrow of our system of government, I would invite them to witness as have I the performance of these revolutionaries during hearings now taking place before the committee.

PRESIDENTIAL VERSUS CONGRESSIONAL DECISIONMAKING

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] 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 California?

There was no objection.

Mr. CURTIS. Mr. Speaker, a column by John Chamberlain in the Washington Post of August 13 is an articulate statement about a disturbing, but not surprising, phenomenon in American politics. The question Mr. Chamberlain asks is "Whither Power Advocates?" and it is a question worth considering. As long as the decisions being made behind closed doors without fair procedures or democratic processes were to their liking, the advocates of Presidential power and executive government were quite content. They were not disturbed by the way decisions were made down on Pennsylvania Avenue by the Federal bureaucracy, or up in the academic cloisters on the banks of the Charles River.

Mr. Speaker, I have spoken many times in the past about the two competing theories of the role of Congress in American government. There are those who argue that the Congress is a soundingboard, where legislation results from pressures exerted outside of the Congress. To these thinkers, Congress existed to ratify judgments made elsewhere. When Congress dissented from the judgments of the bureaucrats, economic oligarchs, and academics, the reason had to be congressional obstructionism caused by antiquated procedures and malapportioned electoral districts. The reason could not be that the judgments were mistaken, or ill advised. Congress was a mere obstacle, to be evaded or coerced into accepting the wisdom of others.

There is another competing theory of the role of Congress, which my summer interns tell me is not even seriously considered in political science courses at some of the finest colleges and universities in our country. In this alternative view, Congress is essentially a study and deliberative body. Congressmen are sent by the people to study the issues and use their best judgment in considering proposed legislation. The essence of this study process is fair, open congressional hearings, where those who are convinced of the soundness of their judgments can be confronted with the arguments and facts of the other side through cross-examination. I would argue that this is the way the best decisions can be made, for, in this process, more of the wisdom of the society can be gathered than any other way that I know.

Mr. Chamberlain is to be congratulated for pointing to the change of heart of the presidential power advocates. I only wish that this change of heart might mean that these thinkers are convinced of the value of the congressional study process for wise decisionmaking. I hope I do not sound too pessimistic when I say that I doubt it. I am afraid that the reason they have seen the light is that they have felt the heat from the decisions of a President whom they happen, for the moment, to disagree with. I doubt that they would see the value of congressional procedures if the President were twisting arms to implement decisions they liked. But the present experience is valuable for the dangers of presidential power it exposes to those theorists who had previously been oblivious to them. Perhaps, they will now think twice before adding to the present discretionary powers of the President, for these are powers that can be exercised without any deference to the study and deliberative processes of the Congress.

Once again, I want to congratulate John Chamberlain for his contribution to the lagging dialog on the role of Congress in our Government and society.

Under unanimous consent, I introduce this column into the RECORD:

WHITHER POWER ADVOCATES?

(By John Chamberlain)

It was only two short years ago that the liberal intellectuals, led by John F. Kennedy's friend and biographer, James MacGregor Burns, were complaining that the Goldwater Republicans constituted a "Congressional Party" that was anachronistic in the modern age. The need, so the liberal intellectuals insisted, was for a strong presidential power to lead and compel Congress to do what it takes to meet complicated problems, both internal and external.

We haven't been hearing so much along these lines recently; indeed, Mr. Walter Lippmann, who has tended to support a strong presidential system ever since the days of Woodrow Wilson, has just taken off on a long vacation with a warning that something should be done to restrain the power of Lyndon Johnson.

Liberals of all types and varieties are speaking in the new Lippmann manner. For example, the famous Mario Savio, generalissimo of the campus "revolution" at Berkeley, Calif., who once welcomed presidential power when it was used to curb the States Righters of Alabama and Mississippi, has been describing himself of late as a "philosophical anarchist" and professing sympathy for libertarian conservatives who voted unsuccessfully for Goldwater. Savio speaks of our "traditional liberties" being "eroded by the unwarranted growth of the Federal Government."

In between Lippmann and Savio there are scores of ADA-ers and what-not who liked Lyndon Johnson when he was twisting Congressional arms to force through domestic legislation, but who hate him now that he insists on supporting friends of freedom in distant parts of the "one world" that liberals used to be for.

If today's issues weren't so serious, the philosophical somersaults of our liberal intellectuals would make good musical comedy fodder for the Morrie Ryskind who wrote "Of Thee I Sing." When the "Congressional Party" was dominated by the likes of Bob Taft all we heard from the liberals were complaints about Senatorial do-nothingism and "obstruction." But now that the Congressional Party is headed by Senator FULBRIGHT, with WAYNE MORSE acting as his able lieutenant, we only hear about the terrible way in which the White House is "escalating" the war in Vietnam without asking the "advice and consent" of the Senate Committee on Foreign Relations.

The National Conference for New Politics, which was recently set up by a group ranging from Grenville Clark of the World Federalists and Mark DeWolfe Howe of the Harvard Law School to Stokely Carmichael of the Student Nonviolent Coordinating Committee and Dick Gregory, the Negro entertainer who wants to be mayor of Chicago, is going into action this autumn with one objective: to break the presidential power of LBJ. What we need, say the NCNP organizers, is a "new politics" designed "to reverse the tendency of our politics toward the monolithic conformism of 'the great consensus,' and to revive the free-swinging politics of traditional American democracy."

These are wonderful words, but they come from people who have never in the past been particularly concerned about supporting the traditional Madisonian system of checks and balances that maintained free-swinging individualists in Congress. No doubt the words are sincerely meant at the moment. But conservatives and true libertarians who have all along supported the "Congressional system" as against James MacGregor Burns' "Presidential system" had better not count on any permanent new allies on the liberal left. The "New Leftists" will be for "free-swinging politics" until they get their own man in the White House. If and when that day comes, we shall hear no more from them about "Administrative usurpation." Instead, we shall be hearing much about a "consensus" for an accommodation with the likes of Mao Tse-tung and Ho Chi Minh and a "convergence" with the Communists everywhere.

We have political science departments in virtually every American college. But judging by the behavior of their liberal graduates, all they seem to teach is that principles depend on whose ox is gored.

AHEPA CONVENTION

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] 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 California?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I am pleased to join other Members of the House in welcoming to Washington for their 44th international convention representatives of the American Hellenic Educational Progressive Association.

This fine organization has made outstanding contributions to America by promoting and encouraging good citizenship and active participation in social, civic, and political activities.

AHEPA has not only served this country by teaching its members to be aware of the duties and responsibilities they have as citizens, but it has assisted newcomers from Greece to become adjusted to their new country while maintaining pride in their native land. It has also helped the victims of natural disasters all over the world.

The members of AHEPA certainly deserve commendation for their many good works, and I join in paying tribute to this fine Greek-American organization.

THE 1966 CAPTIVE NATIONS WEEK HIGHLIGHTS SPECIAL COMMITTEE ON THE CAPTIVE NATIONS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] 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 California?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, it has been most encouraging and inspiring to read the reports from all over the country concerning the observance of the 1966 Captive Nations Week. In every respect—proclamations, press coverage, local committee functions, TV and radio programs, and expanded American public interest—the 1966 week has surpassed all other years.

The obvious meaning of these results is multiple. Anyone reading these reports cannot but conclude the following: First, ever-increasing numbers of Americans do not buy, in conscience and intellect, the policy of playing down the captivity of close to a billion people because it is naively felt that the totalitarian Red regimes can be appeased into ways of peaceable evolution and eventual freedom; second, we are at great costs losing time in the cold war and the Red totalitarians are gaining it as we neglect the advantages provided by the powerful deterrent against war and cold war oppression and for peace and freedom; namely, the captive nations in toto; third, our relative official neglect of the captive nations casts a long and deep shadow of doubt on our politico-moral leadership in the world at large, with words of freedom, national independence, self-determination assuming more and more a hollow ring; and fourth, the urgent need for a Special House Committee on the Captive Nations is realized now, more than ever before, as we jump from one illusion to another in the rapid succession of our short-run policies. For example, not too long ago some made considerable noise about the Sino-Soviet Russian rift and sought to capitalize on it in Vietnam and elsewhere. We do not hear much of this now as Russian material support of the Hanoi regime far exceeds that of the Red Chinese.

Mr. Speaker, we again urge the creation of a Special Committee on the Captive Nations. It cannot be said that the compelling reasons for such constructive and necessary action have not been clearly stated and elaborated upon. I, and numerous colleagues on both sides of this House, sincerely hope that the unfolding record of this movement will not show that this plea fell upon deaf ears at this critical moment in our history. Far too often in our history we have missed the boat; what had to be done was neglected and, later, we paid a heavy price for it.

As examples of the breadth and diversity of the 1966 Captive Nations Week observance, the following selected items deserve the attentive reading by every Member of this body and by every alert American citizen. I request that these items be appended to my remarks: First, a resolution by the American Legion in Michigan; second, the captive nations news release by the Department of Public Events of the City of New York; third, the statement of Americans To Free Captive Nations on the week; fourth, the News From China release on the week; fifth, the accounts in the India Free News and Feature Service, featuring "Forget the Captive Nations" and "The Truths and the Growing Week" by Lev E. Dobriansky; sixth, a letter to the editor in the July 29 issue of the Washington Post and three pointed replies to the letter, one which was highly deleted in the August 14 issue of the Post; seventh, an article by Robert Morris on "Captive Nations Week" in the August 4 issue of The Wanderer; eighth, a letter to the editors of the Washington area papers on the week; ninth, a Washington Post July 8 editorial on "Up With Idel-Ural" and a reply by Dr. Lev. E. Dobriansky of Georgetown University and chairman of the National Captive Nations Committee; tenth, news reports on the week in the August 11 issue of America; and eleventh,

an article by Edgar Ansel Mowrer on "What Would Happen If Captive Nations Revolted Against U.S.S.R.?" in the August 13 issue of Human Events:

RESOLUTION ADOPTED BY THE AMERICAN LEGION INTER-POST COUNCIL, ON AMERICANISM, GENESEE COUNTY, MICH., JULY 13, 1966

Whereas, the greatness of the United States is in large part attributable to its having been able, through the process of representative government, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious and ethnic backgrounds; and

Whereas, this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

Whereas, the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas, since 1918 the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which poses a dire threat to security of the United States and of all the free peoples of the world; and

Whereas, the imperialistic policies of Communist Russia have led through direct and indirect aggression to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others; and

Whereas, these submerged nations look to the United States, as the citadel of human freedom, for leadership in bringing about their liberation and independence and in restoring to them the enjoyment of their Christian, Jewish, Moslem, Buddhist, or other religious freedoms, and of their individual liberties; and

Whereas, it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

Whereas, the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

Whereas, it is fitting that we clearly manifest to such people through an appropriate and official means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence; Now, therefore be it

Resolved, that The American Legion Inter-Post Council on Americanism of Genesee County, Michigan, recognizes the week of July 17, 1966, as "Captive Nations Week", and invites the people of Genesee County to observe such week with appropriate ceremonies and activities; and be it further

Resolved, That a copy of this resolution be transmitted to the Mayor and City Commission of The City of Flint with the request that they proclaim the week of July 17, 1966, as "Captive Nations Week", and urge appropriate ceremonies and activities.

DONALD L. LYSHER,
Chairman.
JAMES PEMBERTON,
Secretary-Treasurer.

MAYOR LINDSAY PROCLAIMS "CAPTIVE NATIONS WEEK"

Mayor John V. Lindsay has designated the week of July 17–23, 1966 to be observed as "Captive Nations Week" in New York City, it was announced today by Commissioner John S. Palmer of the Department of Public Events.

At City Hall on Tuesday, July 19, at 11:00 a.m., the Mayor will formally present his proclamation to the Chairman of the Assembly of Captive European Nations, Mr. Vaclovas Sidzikauskas. Assisting in the ceremony will be Dr. Edmund Gaspar, Secretary General of the Assembly; Mr. Christopher Emmet, Chairman of the American Friends of the Captive Nations and Msgr. John Balkunas, President of the Conference of Americans of Central and Eastern European Descent.

A group of delegates from the above organizations complemented by girls attired in native costumes will also participate in the ceremony.

Captive Nations Week expresses the support of the American people for the restoration of freedom to oppressed countries now under dictatorships.

The City's proclamation is in line with a resolution adopted by Congress urging "Captive Nations Week" as a national observance.

Text of the mayor's proclamation follows:

Whereas: the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the 3rd week in July of each year as Captive Nations Week and inviting the people of the United States to observe this week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence; and

Whereas: the people of Eastern and Central Europe, as well as those in other parts of the world, are being denied fundamental human rights in pursuing their own destiny; and

Whereas: the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to tyranny and aggression; and

Whereas: the freedom-loving peoples of captive nations look to the people of the United States for leadership in attaining their freedom and independence,

Now therefore, I, John V. Lindsay, Mayor of the City of New York do hereby proclaim the week of July 17–23, 1966, as "Captive Nations Week" in New York City, and call upon our citizens to observe this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

In witness whereof I have hereunto set my hand and caused the seal of the city of New York to be affixed.

STATEMENT OF AMERICANS TO FREE CAPTIVE NATIONS, INC., ON CAPTIVE NATIONS WEEK, 1966

We support the Public Law 86–90 of the Captive Nations Week resolution of the U.S. Congress which expresses sympathy for the aspirations of peoples everywhere and to recognize the independence of the nations of the world such as: Poland, Hungary, Lithuania, Ukraine, Czechia, Slovakia, Latvia, Estonia, White Ruthenia, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Viet Nam and other nations against Communist tyranny and Red Moscow and Red Chinese foreign rule, and urge the re-establishment of their national freedom and state independence. Slovakia should also be recognized as an independent state.

To warn the Western world against supporting Titoism, which is the Trojan horse of Communism, and to support the re-establishment of the freedom and national independence of the Croatians, Serbians, Slovenians, and Macedonians, who are now condemned to live under Tito's regime of Communist tyranny.

We fully support the U.S. government efforts to put an end to the Soviet Russia and Red China aggression in South Viet Nam whose purpose is to destroy its national freedom and state independence, and to enslave not only its people but other nations in Asia, thus using their defeat as a springboard for seizure of the whole world into Communist slavery.

We warn our government and the whole free world against the policy of so-called co-existence which aims at the recognition by the free world of the status quo of Red Russia and Red China conquests as basis for the subversion action in the free world and for their further expansion to enslave free countries.

We stand for the peace in the whole world, but we want the just peace that guarantees freedom from all nations and countries. We believe that their peace must be by all means protected, otherwise every appeasement, every concession to the Communist aggression inspires them to further expansion which leads to a new inevitable world's war. The peace can be saved if Soviet Russia and Red China will be constantly aware that we are alert and determined to defend our peace and freedom.

We state that freedom and independence of the free countries in the world are threatened by Communist colonial imperialism. In our time of downfall of the colonial empires and rising of the national independence states, the vast Communist colonial empire, under the name of U.S.S.R., still remains; it continuously threatens the whole world and the free countries. This empire exploits brutally not only non-Russian nations within the U.S.S.R., but also nations of so-called "satellites."

Therefore, we request the United Nations, the U.S. Government and the U.S. representatives in the United Nations to put on the agenda of its General Assembly the problem of the Soviet-Moscow colonialism in Estonia, Latvia, Lithuania, Armenia, Georgia, Azerbaidjan, Byelorussia, Bulgaria, Czechia, Cossackia, East Germany, Hungary, Idel-Ural, Poland, Roumania, Slovakia, North Caucasia, Turkestan, Ukraine, and in other countries subjugated by Communist imperialism such as Albania, Cuba, Tibet, North Vietnam and North Korea enslaved by Red China. We condemn such colonialism and ask to exclude all Communist governments from the United Nations, and in their stead to admit the authorized representatives of the captive nations.

EXECUTIVE COMMITTEE.
NEW YORK, *July 1966.*

[From news from China, daily news report from Taipei provided by the Chinese Information Service]

TAIWAN PLANS OBSERVATION OF "CAPTIVE NATIONS WEEK"

TAIPEI, July 16.—Various programs will be held in the Republic of China starting tomorrow to mark the annual "Captive Nations Week".

The main theme of this year's activities will be refuting the appeasement advocacies in the United States and calling for destruction of Chinese Communist nuclear installations.

All free nations will also be asked to render full support to South Vietnam to seek a total victory in its anti-Communist struggle.

A mass rally, to be attended by representatives from all walks of life of the nation, will take place at the Taipei City Hall on the morning of July 23.

Presided over by Ku Cheng-kang, president of the Asian Peoples' Anti-Communist

League, China Chapter, the rally will adopt resolutions in support of the Vietnamese people and the suffering people on the Chinese mainland.

Similar mass rallies will be held on the offshore islands of Kinmen (Quemoy) and Matsu, and in other major cities of Taiwan.

Mainland refugees and freedom seekers who have escaped from the Chinese mainland to Taiwan in the past years, will gather for a meeting at the Liberty House in Taipei Monday afternoon.

They will issue a joint statement, calling on the United States to support the Republic of China in recovering the Chinese mainland, overthrowing the Peiping regime and delivering the mainland populace from oppressive Communist rule.

Intellectuals, students, foreign students in Taiwan and professors will hold separate meetings starting tomorrow to mark the event.

Cathedrals, churches, Buddhist temples, mosques and all other religious establishments throughout the island will conduct services for all those people who have fallen victim to Communist atrocities.

The "Captive Nations Week" was initiated by the United States in 1959. It is marked every year in the third week of July.

[From Free News & Feature Service, July 26, 1966]

FORGET THE CAPTIVE NATIONS? THE TRUTHS AND THE GROWING WEEK

(By Lev E. Dobriansky)

Fortunately, since 1959, the world-wide observance of Captive Nations Week has steadily grown, and the basic truths about Soviet Russian imperialism, genocide and colonialist exploitation in the U.S.S.R., as well as the oppression of all the captive peoples by their totalitarian governments, are reaching more and more Americans. Although the White House unfortunately has played down the Week in recent years, our Governors, Mayors and citizens have broadened the annual observance.

By 1965, half of our States issued official proclamations, and practically every major city did likewise. Over one-third of the House of Representatives and close to one-third of the U.S. Senate have become members of the National Captive Nations Committee, which guides the annual observance. Local Captive Nations committees have sprung up in every section of the country. The Week is now observed overseas. . . ."

This year, the third week of July marks the eighth annual observance of Captive Nations Week. During this week Free people will again raise their voices to honor the enslaved half of the world. They will emphasize again the things that must be done if the long list of captive nations—from Cuba to Hungary to Ukraine to North Vietnam is not to be extended and if our sins of omission today are not to result in unnecessary sacrifices of American life and treasure tomorrow.

BUILDING BRIDGES OF UNDERSTANDING

One of the chief themes of the 1966 Week is the building of bridges of understanding with the captive nations—the people themselves, rather than with the illegitimate regimes that hold them in bondage and politico-economic slavery. The bridge of understanding can only be one link in the mutual struggle for freedom—their freedom regained and ours preserved. To believe that by arriving at "understandings" with the Communist rulers we shall be furthering the freedom of the captive nations is not only an illusion but also an affront to common political sense. In addition, our wishful thinking about the early end of the Cold War—in itself a striking achievement of Moscow's "peaceful coexistence" policy—has blinded us to the realities of the Red Empire and has exposed us to further illusions about "mellowed Communists in Moscow and Warsaw," "independent Communists in Bucharest and Belgrade", and "the growing nationalism among satellite Communist regimes." On the contrary, a little exercise of logic itself would demonstrate that the power center of the Red Empire is the Soviet Union and all other parts even including Red China, depend for their ultimate survival upon this center. Moreover, if more of our people took the trouble to read the U.S. Senate study on The Soviet Empire (U.S. Government Printing Office, 1965) they would find these illusions shattered as the story of current Russian genocide, colonialism and basic Stalinism is unraveled for them.

The crucial fact is that our people are not being told the full truth about people of the captive nations and their plight in the totalitarian Red States. Unpardonable ignorance, a morally irresponsible indifference, and restraining fears are frequently the ingredients of omission that in the long run exact a disproportionate cost. On May 26, 1966, President Johnson unequivocally stated, "The United States cannot condone the perpetuation of racial or political injustice anywhere in the world." Nowhere in this world is such injustice greater and more ruinous than in the Red Empire of captive nations.

Those of us who have been active in Captive Nations Week have opposed measures which tend to perpetuate the control of Communist regimes over the Captive Nations. Such measures would include the liberalization of trade with Eastern Europe, the promulgation of the U.S.-U.S.S.R. Consular Treaty and proposals to admit Red China to the U.N. The 1966 Captive Nations Week is an appropriate time to stress our support of positive measures concentrating on the freedom of the captive nations. Among them, we might include the support of public and private "Freedom Academies," creation of a special Congressional Committee on the Captive Nations and the focusing of world attention on Sino-Soviet imperio-colonialism. We will further the cause of world freedom by never forgetting all the Captive Nations—those in the Soviet Union, in Central Europe, in Asia and Cuba.

[From the Washington (D.C.) Post, July 29, 1966]

LETTERS TO THE EDITOR: STRANGE CAPTIVES

Every year since 1959 Congress has devoted part of its time during the third week of July to commemorate Captive Nations Week. This year has been no exception. The CONGRESSIONAL RECORD for the week beginning July 18 is filled with speeches by Senators and Congressmen lamenting the loss of freedom by the captive nations, and praising their virtues. Outside the halls of Congress, and possibly outside the groups who promoted it, there is little celebration of the event.

The odd thing about the captive nations is that a few of these areas never existed as independent states, while the geography of some is a mystery.

Cossackia is one of the captive nations. Where is Cossackia? Or where was it? The fact is that Cossackia, and some companion captive nations, were creations of the Nazi Foreign Office—a part of the administrative plan for ruling Europe during the thousand-year Reich.

Surely, there must be better ways of fighting communism than glorifying and perpetuating the work of the Nazis.

LEON J. STECK.

WASHINGTON.

LETTERS TO THE EDITOR, THE WASHINGTON POST

(NOTE.—Parenthesized sentences were not printed by the Washington Post in its August 14 issue.)

Sir: (In priding yourself as an organ of liberal reporting, would you accord me the privilege to comment on the July 29 letter of Leon J. Steck titled "Strange Captives.")

(That Mr. Steck knows little or nothing about the captive nations, the movement itself which is celebrated internationally with respect and solemnity, the history and geographic locations of the captive nations, and Cossackia, which he chose as his forte, is quite evident.

(If he were really familiar with the CONGRESSIONAL RECORD, as he so eagerly wants to imply, he would have read the short history of the Week in a comprehensive article titled *The Traditional Captive Nations Week* and published in the RECORD of July 18 (pp. 15961–15965). He would also have learned that the movement has been on a steady increase every year since 1959. This year was no exception with more Governors and Mayors proclaiming it than ever before. Local captive nations committees have been established from Vermont to California, from Washington to Florida. The Week is also widely observed in Sweden, Australia, the Republic of China, Turkey, West Germany and many other countries.

("The odd thing" is not that some of the captive nations ostensibly "never existed as independent states"; the odd thing is that the letter writer is unaware of their past existence, yet decided to write on the subject.)

Anyone familiar with East European history knows that Cossackia has been in existence for a century-and-a-half and the term itself is inscribed in history. (For the writer's information,) the area is east of Ukraine and above the Caucasus. His statement that Cossackia and other captive nations were "creations of the Nazi Foreign Office" is an outworn fiction of Moscow propaganda (that seems to be perpetuated by some circles here.)

(If he is as interested in fighting communism as he seems to imply, then indeed, there is a better way and this is not by flattering its objectives and ultimate goals of world conquest but through the captive nations. The evidence as indicated in part by the article quoted above shows that Moscow and its puppets fear this way the most.)

VERA A. DOWHAN.

[From the Washington (D.C.) Post, Aug. 9, 1966]

LETTERS TO THE EDITOR: MORE ON CAPTIVES

Captives are strange, as Mr. Steck's letter noted on July 29. Most also are unhappy and anxious to obtain the same independence and civil rights which so many people here and around the world seek. Why deny people of Cossackia or Idel-Ural a right to at least free discussion and dialogue, and a vote upon the kind of government they want for themselves?

Mr. Steck, indeed, seems to be a better student of the Nazi Foreign Office than of Russian imperialism. Cossackia, located in the North Caucasus, and Idel-Ural, located between the Volga and the Urals, are national groups which existed centuries before Hitler created his own version of Marxism and called it National Socialism.

Of course, if Mr. Steck can point out better ways of fighting communism than pointing out that Communists in power oppress the people and deny them freedoms they want, let him suggest such better ways.

DONALD L. MILLER.

WASHINGTON.

AUGUST 8, 1966.

THE WASHINGTON POST,
1515 L Street NW.,
Washington, D.C.

DEAR SIRS: In the Washington Post, on July 29, 1966, there was a letter to the editor titled "Strange Captives", and signed by Mr. Leon J. Steck.

Mr. Steck's statements in his letter do not correspond to the historical truth. Mr. Steck claims that some of the captive nations never existed as independent states, while the geography of some is a "mystery" to him.

However, all this is only a "preamble" to his letter, which is written only to say that "Cossackia is one of the captive nations," but "Where is Cossackia? Or—where was it?"

"The fact is," states Mr. Steck, "that Cossackia, and some companion captive nations, were creations of the Nazi Foreign Office—a part of the administrative plan for ruling Europe during the thousand-year Reich."

Is this the fact?—No! Absolutely not!

"Where is Cossackia? Or where was it?"—It is where the Cossacks lived and still live.

Who are the Cossacks?—According to old Russian sources, the Cossacks are one of the Slavic nations.

To be brief, in the New York Public Library there is a book by E. F. Zyablovsky titled *Newer Geography of the Russian Empire,* printed in Moscow in 1807 "with the permission of the Censor Committee of Moscow University." The third part of this book deals with the nationalities of Russia of that time. Here we find the following: I. *Russians*—the ruling nation in the Russian State; 2. *Cossacks*—Don Cossacks, Hreben Cossacks or Terek Cossacks, Volga Cossacks, Ural Cossacks, Black Sea Cossacks (inhabiting the lower Kuban River and the Azov Sea), and others; 3. *Poles* . . ."

What is Cossackia? Cossackia is the country of Cossacks.

Has there ever been Cossackia?—Of course, there has!

In the same New York Public Library there is another book, titled *The History of the Don Soldiers, Part I,* written by Aleksey Popov, the Director of Schools of Don Soldiers. Published in 1814 in Kharkov University, this book is dedicated to the Count M. I. Platov, the Don Cossack Otaman.

On page 3 of this book we read that the Don Soldiers "from ancient times were called Don Cossacks, and their land—Cossackia."

So, as we can see, it was "a little" before "the Nazi times!"

As to the geography of Cossackia, in this respect there should be no "mystery" either. Thus, for example, the Chicago Corn Exchange was very well acquainted before World War I with the geographical location of Kuban, which is a part of Cossackia. Any fluctuations in the Kuban harvest were reflected on the Chicago Exchange and even unstable weather-factors as rain at the wrong time were noted by it.

I, as an active participant of Cossack events of our times, should add another important Cossack occurrence: In January 1920 in Yekaterinohrad (as it was called then) in Kuban, the Cossack's Constituent Assembly "Supreme Circle of Don, Kuban, and Terek" was summond, which on January 24, 1920, decided to create a Cossack Union State (Cossack Federation or Cossack United States).

I was a member of that Constituent Assembly and a member of its "Constitution Commission."

Thus, there is no "mystery" about Cossack actions, as well as about Cossack geography.

Mr. Steck writes that "a few of these areas never existed as independent states." I would like to direct his attention to the following: At present there are more than 30 African states—members of the United Nations. Out of this number at least 20–25 states as late as 5–6 years ago were not independent (and had never been before), and also their names were not known.

So, let us Cossacks, a nation with the history of independence, but which had lost it some 250 years ago to a stronger neighbor, have an equal chance with the Africans in this era of "decolonialization".

Respectfully yours,

IGNAT A. BILYJ.

[From the Wanderer, Aug. 4, 1966]

AROUND THE WORLD: CAPTIVE NATIONS WEEK

(By Robert Morris)

Captive Nations Week is a tradition that makes most of our leaders, particularly in government and in churches, squirm. Its existence is testament to the greatest moral abdication of contemporary history. It exposes the pharisaical tendencies of our so-called civil rights leaders. It is something that our most vocal spokesmen would like to see fade away.

But it is here with us to remind us of our obligation to our fellow man all over the world. The people in all Communist countries are indeed captive peoples. They would all, if they had a democratic framework, vote themselves a different form of government. These people have not only lost some particular civil liberty, such as some of our minorities have here, but they have lost their civil liberties in their totality.

Nor can a case be made that these people are not our brothers in the great fraternity of men to whom we have a heavy obligation by divine command.

Yet most of our government leaders, some of our civil rights leaders and particularly many of our churchmen will writhe with uneasiness or become indignant when the subject comes up.

It is incomprehensible to me how such men as Martin Luther King can crusade for equality and civil liberties for his people and yet brazenly advocate bondage for the people of China or Vietnam, which he unquestionably does when he advocates recognition of Soviet China or our withdrawal from South Vietnam. He has advocated both of these and thereby has put himself directly in an inconsistent posture.

But when you analyze it, this inconsistency manifests itself in so many of the performances of the Liberal Establishment.

I would like to suggest that a real touchstone of sincerity for all spokesmen in the area of civil liberties is their attitude toward Captive Nations Week. If they want the tradition abolished and the poor people in bondage forgotten for an unforeseeable time, they should not be given a voice in the field of civil rights.

JULY 16, 1966.

SIR: For the eighth consecutive year the President of the United States has issued a proclamation designating the third week of July (July 17–25) as "Captive Nations Week". The Captive Nations Resolution (Public Law 86–90) established by a joint resolution of Congress and forming the basis for the Week, requests the President to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

As one might expect, the iniquitous rulers in the Kremlin are particularly disturbed by the continuing Captive Nations Week observances in the United States and other nations of the free world. The image the Kremlin rulers attempt to create showing themselves to be genuinely interested in peace and helping to relax tensions by giving greater "freedom" to their satellites is suddenly dissipated when they are confronted by the Captive Nations Week observances and possible ramifications following therefrom. The barbarity of their nature is revealed as they—in the most vile and derogatory terms—denounce the President, Members of Congress, and participating Americans for proclaiming and supporting Captive Nations Week. And why the bitter tirades and denunciations? The reason becomes apparent after a brief examination of Public Law 86–90.

The significant feature of the Captive Nations Resolution is that it recognizes and specifically names not only Central European nations commonly regarded as being captive including Czechoslovakia, East Germany, Rumania, and the like; but also recognizes and names approximately a dozen non-Russian nations in the Soviet Union including Ukraine, Lithuania, Armenia, and others.

Increasing awareness of the realities and myths regarding the Soviet Union in the free world, in large part due to the implementation of the Captive Nations Resolution is indeed a source of consternation for Moscow. More people in the free world are beginning to realize that the Soviet Union is inhabited by more non-Russians than Russians; that the mineral and industrial wealth of the Soviet Union to a large extent lies within the boundaries of the non-Russian nations without which Soviet Russia would be a third rate power; that the non-Russian people of the so-called "Soviet Republics" continue to have an intense desire to be free and to have the right of self determination which rights were forcibly taken from them by Soviet Russia shortly after they had declared their independence following the collapse of the Czarist Russian Empire; that therefore, the monolithic Soviet Union concept continually advanced by Moscow represents nothing more than a colossal myth when confronted by these enduring realities.

Most frightening to the Kremlin rulers, of course, is the possibility that the growing knowledge of the truth regarding Soviet Russian imperio—colonialism will eventually be factored into our foreign policy determinations.

The desire of the people of the captive nations, both inside and outside the Soviet Union, to secure their independence constitutes the most powerful deterrent to war and the best hope for a just and lasting peace among nations.

Sincerely,

WALTER PRETKA.

[From the Washington (D.C.) Post, July 8, 1966]

UP WITH IDEL-URAL

Knowing well that the best way to fight communism is to blow hard on it, the Congress in 1959 "authorized and requested" the President to designate the third week in July as Captive Nations Week. Ever solicitous of the Executive's geographical shortcomings, the Congress identified the nations thereby to be blessed. Its list included not only such ancient and recognized lands as White Ruthenia and Turkestan but historic Cossackia and storied Idel-Ural too.

The President has unaccountably delayed in issuing the prescribed annual "Captive Nations Proclamation." In recent years he has even failed to name the nations for whose benefit he was issuing the proclamation. We trust, nonetheless, that Congress' fervor for the freedom and independence of Cossackia and Idel-Ural will receive its due.

A REPLY BY DR. LEV E. DOBRIANSKY OF GEORGETOWN UNIVERSITY AND CHAIRMAN OF THE NATIONAL CAPTIVE NATIONS COMMITTEE TO THE WASHINGTON POST'S JULY 8 EDITORIAL "UP WITH IDEL-URAL"

The editorial is not without some measure of intellectual humor, mixed with obvious ingredients of sarcasm. When a number of

people asked for my reaction to it, I simply replied that "The editors of this organ should continue writing about Idel-Ural, Cossackia and other integral parts of the Soviet Union. In time they will educate themselves and many of their readers. And this will be all to the good." In this respect, the apparently irritated editor has done us all a great favor.

As usual, the editorial is studded with factual inaccuracies and poor judgment. But this, too, is part of the process of education; time in, the condition will be overcome.

Now for the points. Plainly, the best way to fight "communism"—in reality Soviet Russian imperio-colonialism and the Red Chinese one, too—is to blow hard on it, with firmness, a certitude of one's own position, and with a determined vision of its defeat and demise.

Second, the President did not "unaccountably" delay issuing his Captive Nations Week proclamation. In fact, he timed it very well on July 8, the historic date of the announcement of our Declaration of Independence and his announcement of the establishment of the American Revolution Bicentennial Commission.

Third, to state that in recent years the President has even failed "to name the nations for whose benefit he was issuing the proclamation" is grossly untrue and typical of the paper's editorial comments. One need only to read all the Presidential proclamations from Eisenhower's in 1959 to Johnson's in 1965 to establish the untruth of such assertions. The references to the captive nations have always been general and all-inclusive.

Finally, the editor needn't worry that Congress will misplace his trust in its fervor for the independence and freedom of all peoples, including those of Cossackia and Idel-Ural. The President's proclamation was comprehensive to include all; Congress' determination to have all nations enjoy the blessings of freedom has never been less. It's comforting to note the editor's expression of trust and concern. Yes, indeed, Up With Idel-Ural!

[From America, Ukrainian Catholic Daily, Aug. 11, 1966]

NATIONWIDE OBSERVANCES OF CAPTIVE NATIONS WEEK

NEW YORK, N.Y.—At least 35 States and mayors of scores of cities throughout the United States issued proclamations urging statewide and local observances of this year's Captive Nations Week.

Listed below is a partial list of states that heeded President Lyndon B. Johnson's call to observe the week of July 17–23 with "appropriate ceremonies and activities":

Governors and states proclaming Captive Nations Week included: George C. Wallace, Alabama; William A. Egan, Alaska; Samuel P. Goddard, Arizona; Orvil E. Faubus, Arkansas; Edmund G. Brown, California; John A. Love, Colorado; John Dempsey, Connecticut; Charles L. Terry, Jr., Delaware; John A. Burns, Hawaii; Harold E. Hughes, Iowa; Otto Kerner, Illinois; Roger D. Branigin, Indiana; Edward T. Breathitt, Kentucky; John H. Reed, Maine; J. Millard Tawes, Maryland; John A. Volpe, Massachusetts; George Romney, Michigan; Warren E. Hearnes, Missouri; John W. King, New Hampshire; Richard J. Hughes, New Jersey; Jack M. Campbell, New Mexico; Nelson A. Rockefeller, New York; Dan K. Moore, North Carolina; William L. Guy, North Dakota; James A. Rhodes, Ohio; Mark O. Hatfield, Oregon; William W. Scranton, Pennsylvania; John H. Chafee, Rhode Island; Robert E. McNair, South Carolina; G. Clement, Tennessee; John Connally, Texas; Calvin L. Rempton, Utah; Philip H. Hoff, Vermont; Mills E. Godwin, Jr., Virginia; Warren P. Knowles, Wisconsin.

A proclamation was also issued by the Commissioners of the District of Columbia.

The mayors of a large number of American cities also marked Captive Nations Week by signing proclamations, often attended by delegations of representatives of the Captive Nations, Ukrainians prominently among them.

BOSTON MARKED CAPTIVE NATIONS WEEK

BOSTON, MASS.—"Our country's abiding commitment to the principles of independence, personal liberty and human dignity makes it appropriate and proper that we manifest to the peoples of the captive nations our sympathies and prayers for their freedom and national independence, and that we recognize and encourage constructive actions which foster the growth and development of these rights," was stated by Governor John A. Volpe of Massachusetts in his proclamation issued on the occasion of the Captive Nations Week.

Mayor John F. Collins of Boston in his proclamation, after enumerating all captive nations which lost their independence through direct and indirect aggression of Russian Communists, urged Bostonians to "dedicate their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world."

INFORMING THE PUBLIC

In keeping with President Johnson's statement of "building bridges of understanding" with the captive world, special emphasis was put on informing the public, through newspapers and radio, about captive nations. In addition to press releases and copies of proclamations, each major daily in Massachusetts, as well as in Rhode Island, Connecticut, New Hampshire, and Maine, received a special letter for publication in the "letters to the editor" column. As of this writing, The Boston Herald (Boston, Mass.), The Standard Times (New Bedford, Mass.), Manchester Union Leader (Manchester, N.H.), and The Hartford Times (Hartford, Conn.) carried the letter.

ACTION ON THE FLOOD RESOLUTION

In separate letters from the Boston UCCA, Massachusetts Congressmen were urged to initiate action in the House Rules Committee to act upon the pending Flood Resolution (H. Res. 14), proposing the establishment of a Special Committee on Captive Nations.

NEW ENGLAND COMMITTEE FOR CAPTIVE NATIONS

This year's observance was sponsored by the New England Committee for Captive Nations, which consists of American, Latvian, Lithuanian, Hungarian, Polish, and Ukrainian representatives of Greater Boston and vicinity. The Boston Chapter of the Ukrainian Congress Committee of America is represented by Mr. Orest Szczudluk, its Vice President. The Committee is also planning a big rally and motorcade which will take place in October.

[From Human Events magazine, Aug. 13, 1966]

WHAT WOULD HAPPEN IF CAPTIVE NATIONS REVOLTED AGAINST U.S.S.R.?

(By Edgar Ansel Mowrer)

"What would happen if five captive nations of East Europe revolted against their Russian-imposed regimes at the same time?"

This was the question that I put to several fellow guests at the recent annual Captive Nations Week dinner here in Washington.

My thought was so far removed from current thinking that even refugees from those countries seemed stunned. Then each asked for an explanation. "You mean, Mr. Mowrer?"

"I am supposing that a 'little war of liberation' breaks out in each of, say, five or more captive nations, on the same day, possibly by agreement among the patriots. Would the Soviet Union try to suppress them? If it did, could it treat all five as it treated Hungary back in 1956? Also, I am asking [of each refugee leader among those questioned] whether your people are ready for such a revolt."

Here are some replies: "The Polish people are anti-Communist and the Soviet Union forced communism upon them in part, thanks to clever exploitation of their hatred of Nazi Germany. Let the Russian troops withdraw with no chance of returning and communism in Poland will not last a week."

My Czechoslavakian friend said: "We are a less passionate people than, say, the Poles. Our forte is passive resistance. You remember the Good Soldier Schweik of the novel. In 1948 a number of people were ready to give communism a try. But what happened? The Soviets systematically milked our industry, buying at a low price, selling us oil at an extravagant figure.

"The stooge Communist government made no effort to keep our once magnificent industries in good shape, still less to modernize them. In consequence, Czechoslovakia, which once had a living standard second only to that of Germany, is now in permanent economic crisis. Ninety per cent of the people would rebel tonight if they saw a chance of success, meaning no Soviet intervention."

From another leading refugee: "We Bulgarians had a historical friendship for Russia which made Russian-imposed communism more palatable at first. Now after 20-odd years, the mass of Bulgarians are not only savagely anti-Communist but anti-Russian as well."

A fourth: "Edgar, we Hungarians got our lesson in 1956. We drove out our oppressors and begged for Western assistance. You know what we got: nothing! The Hungarian people are ready for a new revolt at any time—but only if they are sure of American assistance. We see no more chance of that from this Administration than from those of Eisenhower and Kennedy."

I insisted. "Suppose five captive nations revolted simultaneously regardless of outside assistance, what would, and what could, the Soviets do?"

Each of the four gave virtually the same answer. "My people will not revolt without being confident of outside assistance, which, with Europe in its present defeatist mood, means American assistance.

"Nonetheless, you are right—if five captive peoples rose against communism at the same time, particularly if Russo-Chinese tensions had grown sharper, the Russians would be incapable of dealing with more than one or two of them. The others would recover their freedom. Then of course, it would be up to you Americans to see that they keep it—by say, moving in your NATO forces from Germany. Unhappily, I see no sign of even that much will for liberation on the part of your Administration. Do you?"

I had to admit that I saw little or none. Some U.S. officials are in such terror of new revolts by the captive nations that they talk—only half seriously, of course—of assisting the Soviets in repressing them if they occur!

Nonetheless, I put a last question to myself: 'If the United States can risk escalation and nuclear destruction in defense of the South Vietnamese, why does it fear to take the same risk in order to restore freedom to suffering peoples for whose plight FDR was at least partly responsible?"

ARREST OF MIHAJLO MIHAJLOV BY YUGOSLAVIA GROUNDS FOR REVIEW OF AMERICAN AID TO TITO

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentle-

man 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 California?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the recent arrest by Yugoslavia police of Mihajlo Mihajlov again demonstrates the weakness of the already questionable theory upon which much of the Johnson administration's policy toward Eastern Europe is based. The theory is that we should work to make independent from Moscow such Communist nations as Poland, Yugoslavia, and Rumania, because an independent Communist state, in which the people have a certain degree of internal freedom, serves our national interest by weakening the ideological hold of international communism.

Thus the administration wishes to aid these countries not because we expect their votes in the United Nations or military and political support from them, but to make them economically independent of the Soviet Union, to normalize their relations with the West and thereby enable them to extend a degree of liberty to the people of Eastern Europe.

This policy has obvious appeal, and as pointed out in Foreign Affairs in January 1965, in an article entitled, "Communist Rule in Eastern Europe," by John M. Montias, it sometimes appears to work. But, the premise upon which it is based is challenged by the actions of men such as Marshal Tito, Communist leader of Yugoslavia. Last week he gave a dramatic demonstration of police state control. It came shortly after the House had rejected my amendment to limit U.S. credit to Yugoslavia under the Food for Freedom Act.

On June 9, the House approved, over my objection, a committee amendment under which Tito's police state is eligible for 40-year credit on food purchases—with 10 years of that time at only 1 percent interest and the balance at 2½ percent interest.

In a period when American citizens have to pay 6 percent interest and more for money they borrow, why should these same citizens, as taxpayers, be required to finance at 1 and 2½ percent interest Communist regimes that deny press freedom?

It is one thing to authorize attractive credit terms for countries which protect the basic rights of their own citizens—like India, for example, but quite another to authorize such terms for a Communist country.

At present Yugoslavia can get only 20-year cutrate credit under the Public Law 480 program—food for freedom—and, in my book that is 20 years too long.

Tito, by the arrest of Mr. Mihajlov, showed that things really have not changed much in Yugoslavia.

Mr. Mihajlov had announced plans to convoke a conference in Zadar to launch an independent sociopolitical periodical which would provide balance to the otherwise one-party press in Yugoslavia. It was a specific challenge involving press freedom. Despite his belief that his proposed periodical is entirely legal under the Yugoslav Constitution, he was arrested and lingers today in jail.

Freedom of the press is of course basic to any liberalization of a totalitarian regime, and the imprisonment of Mr. Mihajlov is dramatic evidence that Marshal Tito still operates Yugoslavia as a garrison state. The United States should carefully review its entire aid program to Yugoslavia, especially the program under Public Law 480. The U.S. taxpayers should not be required to finance a police state government which denies basic rights to the people of Yugoslavia.

The New York Times in an editorial, August 10, sought to justify the arrest by stating that it testified to fear in Belgrade that an opposition magazine such as the one planned by Mr. Mihajlov could become the nucleus for a politically significant organized opposition party in the future.

The arrest, said the Times, showed that Yugoslavia has moved "part of the way from totalitarianism" in that he previously was able to publish articles critical of the Soviet Union. That this was permitted is only natural, since Marshal Tito is himself publicly critical of the Soviet Union at times, and Mr. Mihajlov was merely expressing what Marshal Tito has for many years held out as public policy. The Times believes we can draw some comfort from the fact that, first, Mr. Mihajlov was not banished, and, second, he did, by the arrest, attract international attention to his cause.

The subtle distinctions between banishment and lingering in prison without trial, perhaps even for many years, escapes me. The end result of both is the same: denial of human freedom. While it is true that Mr. Mihajlov attained his goal of worldwide publicity for his efforts to achieve a genuine democracy in Yugoslavia it is questionable whether he receives any personal satisfaction from this. In a matter of a few days his arrest and the attention it brought will have passed from the front pages of the major newspapers, and he and his efforts will have been forgotten. But Mr. Mihajlov will remain in prison. Were he free, then he could achieve in a much more lasting and permanent measure the goal for which he strives, social democracy in Yugoslavia.

The Washington Post has correctly stated the issue involved:

> Mihajlo Mihajlov offered his government a hard but fair test of its fidelity to its own principles. By arresting him, the government failed the test.

If Tito really wants to deserve financial aid from U.S. taxpayers, he should turn over a new leaf by releasing Mihajlov and permitting him to operate a truly free press.

If Tito does not do so, the Congress should rescind 40-year attractive credit terms for food and cancel all other forms of aid to Yugoslavia.

PRIVATE AID TO EDUCATION

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] 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 California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, a recent report of the Council for Financial Aid to Education states that during the 1964–65 school year private gifts to colleges and universities amounted to approximately $1.56 billion dollars. With the ever-increasing tendency to look to the Federal Government for financial help, the knowledge that the private sector is still enough concerned with our educational institutions to contribute this substantial sum is certainly reassuring. As I have stated before, there is legislation pending before Congress which would further aid private contributors to assist the institutions of their choice. By the use of tax credits and the tax sharing or tax retention plan, additional funds could be channeled into the educational field without the Federal Government being involved.

Private efforts to fund educational institutions must be encouraged, and for this reason I include the editorial from the Chicago Tribune of August 16 entitled, "How Private Colleges Help Themselves," in the RECORD at this point:

HOW PRIVATE COLLEGES HELP THEMSELVES

In January, 1965, when President Johnson asked Congress to provide about 800 million dollars a year in aid to colleges and universities, he said that private sources and states simply could not do the job and that "federal aid is essential."

Despite a murmur of "amens" from many hard-pressed college presidents, Mr. Johnson vastly underestimated the determination of private colleges to find their own help and the willingness of private sources to provide it.

The Council for Financial Aid to Education, a business group, has reported that in the school year 1964–65 private gifts to colleges and universities amounted to no less than 1.56 billion dollars. This was about six times what they received 10 years earlier. Assuming the same rate of growth, gifts in the school year just ended will approach 2 billion dollars.

A few examples should speak for themselves. The University of Chicago is seeking 360 million dollars in 10 years—the highest goal ever set by any college. Harvard led the do-it-yourself financing procession in 1960 by raising 82.5 million dollars. M.I.T., taking the cue, set out to obtain 66 million and got 98 million. The University of Southern California set a 20-year goal of 106 million dollars and reached it in five years. Stanford has raised 113 million dollars, Brandeis 76 million, Cornell 73 million, and Princeton 61 million.

The will to help themselves is not confined to the big institutions. Little Tougaloo college, a Negro school in Mississippi, is out for 30 million dollars in 10 years. When the Ford Foundation turned down an appeal from Rockford [Ill.] college, its president, John Howard, told the magazine Business Week, "we went right ahead and raised the money anyhow."

Rockford is one of the colleges which have been firmest in their determination to avoid Federal handouts in the form of "assistance." Mr. Johnson may deny that such assistance leads to federal control, but the Supreme court has settled the matter more authoritatively. "It is hardly lack of due process," it ruled in 1942 in a case involving

a farmer, "for the government to regulate that which it subsidizes."

Once a system of subsidies is broadly established, there will be any number of bureaucratic agencies eager to kibitz with ideas about whom the colleges should admit, whom they should hire as teachers, and what they should teach.

James M. Hester, president of New York university, which is on its way toward a 100-million-dollar goal, attributes the greatness of American education to "healthy competition between public and private colleges."

"We are proving," according to him, "that there is sufficient regard for this dual system to provide support for private institutions with high standards."

The figures suggest that he is right. Even Mr. Johnson seems to have had second thoughts, judging from his failure to press for money for everything that he promised and his more recent desire to shift the student loan program to private funds. He should let private capital show what it can do before providing the Trojan horse which will ultimately and inevitably carry government educationists, social planners, and other meddlers onto the campuses of the private colleges.

THE 44TH ANNUAL CONVENTION OF THE ORDER OF AHEPA

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] 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 California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, I wish to express my greetings to the 46,000 members of the Order of AHEPA who are in Washington this week for their 44th annual convention. I want to do a rather unusual thing and list six of them who are from San Diego and to express to them a special welcome. They are: Chris Stassis; Basil Curtis; John Sotiros; George Koulaxizes; Mike James, and Maneuel Xenedes.

In case a few Members are confused, the word AHEPA stands for American Hellenic Educational Progressive Association. It has chapters in 49 States and in all Canadian Provinces, in Australia, the Bahamas and, of course, in Greece.

The objectives of AHEPA—and of its auxiliary organizations, the Daughters of Penelope, the Sons of Pericles and the Maids of Athena—are simple. They are to encourage and promote the loyalty of the members to the country where they are citizens, while promoting a better understanding of Hellenic culture. To this end AHEPA seeks to instill a due appreciation of the privilege of citizenship; to encourage active participation in the political, civic, social and commercial fields; to oppose political corruption and tyranny and to promote good fellowship and altruism.

Once before, in 1952, AHEPA held a convention in Washington, D.C., and its last convention was in Athens, Greece. I know that we are happy to have them here again in this city we like to hope is as enlightened as historic Athens.

Personally, I wish to extend a heartfelt welcome to Kimon A. Doukas, supreme president of AHEPA and to all the many men and women who meet in Washington to discuss, plan, and pray for the activities of this worthy organization.

REMARKS OF REPRESENTATIVE FLORENCE P. DWYER, IN THE HOUSE OF REPRESENTATIVES, ON THE DEATH OF AARON G. BENESCH, FORMER ASSOCIATE EDITOR OF THE NEWHOUSE NATIONAL NEWS SERVICE

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] 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 California?

There was no objection.

Mrs. DWYER. Mr. Speaker, it is my sad duty to report to the House the death this morning of a man known to many of our colleagues as one of the ablest, fairest, and most truly professional journalists who have covered Congress—Aaron G. Benesch, former associate editor of the Newhouse National News Service and Washington correspondent of the Newark Star-Ledger.

When he retired last December 31, Aaron Benesch had completed more than 50 years of service in one of the most demanding and vital of our professions—50 years that spanned every aspect of journalism, from copy boy to reporter to national correspondent to news executive.

In the course of his outstanding career, he won the affection and respect of all with whom he came in contact, colleagues and public officials alike.

It was my privilege, Mr. Speaker, to know and work with Aaron Benesch during his years as correspondent for the Newark Star-Ledger. He was always fair and objective, a skillful writer, and a penetrating observer of politics and government in Washington. He was also a very good friend.

A native of St. Louis, Aaron Benesch began in the newspaper business as a $3-a-week copy boy on the old St. Louis Star. Later, he reported on the activities of the Missouri State Legislature. His coverage of national politics goes back to 1928 and the Republican National Convention in Kansas City which nominated Herbert Hoover for President. He also worked for the old St. Louis Times, where he served, among other capacities, as managing editor.

Aaron first came to Washington in 1951 as Washington correspondent of the St. Louis Globe-Democrat. He returned to St. Louis in 1953 for a 4-year stint as managing editor of the Globe-Democrat. He came back to Washington in 1957 with the Newhouse National News Service as associate editor of one of the largest news bureau in the Nation's Capital and as correspondent of the Newark Star-Ledger, one of the principal members of the Newhouse organization.

As one who was intimately involved with New Jersey affairs at that time, Aaron very generously served in the role of historian of the New Jersey State Society.

At his retirement party late last year, Aaron Benesch was privileged to hear at firsthand how very highly he was regarded by those with whom he worked. People from every area of government and journalism in Washington attended the reception and many came from distant places to honor this fine gentleman and great reporter and editor. Many others sent messages expressing their esteem and affection.

Among the tributes paid to Aaron Benesch was this one from former President Harry Truman:

> You have put in all of 50 years in the hectic field of journalism and that is a long time even in a normal field of operation. I hope your transition from over-activity to retirement is as comfortable for you as it has been for me.

For Aaron Benesch, journalism was a demanding and rewarding world. He gave it his best. He mastered it and served it well. He brought honor to his profession.

To Eva Benesch, his wife and close companion, and to all his family, I offer my deepest sympathy at their great loss—a loss we all share.

MANCHESTER UNITED FUND REVIVES WORLD WAR II CUSTOM; COMMUNITY LEADERS GIVE PERSONAL FAREWELL TO SERVICEMEN

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] 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 California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, under the leadership of the United Fund, community leaders of Manchester, N.H., have revived the World War II custom of saying a personal farewell to men departing for military service. I hope this practice will be adopted by all other communities in the country during this period of war.

In this way, the whole community expresses the hundred different poignant feelings of farewell, good luck, and support that are so hard to put into words. At the same time, the presence of these leaders on these occasions serves to remind the community itself of our commitment to defend freedom and what it costs to do so.

Manchester is a departure point for our whole area. I would like to put into the RECORD a short article appearing in the Manchester Union-Leader, July 26, describing the first of these sendoffs, including the names of the 26 men and their hometowns in New Hampshire and Vermont. Godspeed to them and our thanks to Mr. Albert Mattison of the United Fund, who originated the sendoff idea, and to Mayor Vallee of Man-

chester and the other officials who so willingly carried it out.

The article follows:

SENDOFF GIVEN 26 ENLISTEES

Mayor Roland S. Vallee, members of the Manchester Board of Aldermen, and others braved the weather at Grenier Field yesterday to give an official farewell to 26 enlistees leaving by plane to start their military careers.

Others on hand were George Connell, general manager of the Union Leader and a member of the farewell advisory committee; Albert Mattison, executive director of the United Fund of Greater Manchester who originated the revival of the World War II custom; Philip DeRing, acting public relations director of the local United Fund; and military officials.

Enlisting in the Army and being sent to Ft. Dix, N.J., were: Roy A. Tucker, Walter J. Lord, Bradford B. Felton, Jack F. Morin, Ronald H. Adjutant, Dan A. Sheehan, John A. Robertson Jr., Richard G. Godbout, and Kenneth R. McCann, all of Manchester; Frank J. Sullivan of Nashua; Peter B. Chapman and Michael S. Chwater, both of Portsmouth; Douglas B. Foster of Keene; and Richard R. Viens of Berlin.

Phillip A. Burbank and Ralph Batten Jr., both of Portsmouth, both began a tour in the Air Force.

The following Vermonters also left to begin Army service: Clifford N. Davis, William M. Flint, Danny H. Bedell, and Sidney A. Waite Jr., all of Barre; Francis C. Rivers, Philip M. Germaine, and John C. Bolduc, all of Burlington; and Donald E. Leclair, Joseph R. Gaborialut, and Robert A. Bengston, all of St. Johnsbury.

NEEDED: A CULTURAL EXCHANGE CENTER FOR LATIN AMERICA

The SPEAKER pro tempore (Mr. PATTEN). Under a previous order of the House, the gentleman from California [Mr. HANNA] is recognized for 60 minutes.

Mr. HANNA. Mr. Speaker, en su mensaje al Congreso del mes de Febrero urgiendo la aprobación de la Acta Internacional de Educación, el Presidente Johnson nos urgió aumentar a un grado universal la tarea de mejorar la educación de nuestra gente.

En este diá yo quisiera enfocar nuestra atención sobre una area—una area en particular—en ese proyecto de superacion.

To those of my colleagues—and the Official Reporter of debate—who experienced some frustration during the first minute of this speech, you have my profound sympathy. The feeling that flows from an inability to understand is an awful one. Perhaps you recognized the language as Spanish. Perhaps you could identify one or two words, but still could not understand my message.

With this experience in mind I now ask you to use your imagination to project yourselves into another situation. Pretend you are 5 or 6 years old and arriving for your first day of school. You speak English, the language of your parents. But everyone around you speaks Spanish. You are laughed at, teased, and held up to disdain. As if this were not humiliating enough, you are now told by your teacher that you must henceforth communicate in the classroom only in Spanish, a language you cannot understand, a language which you may come to understand slowly but which you will always speak with a thick, and to many of your classmates, a humorous accent. On your first day of school you have suffered a humiliating defeat—the first of many yet to come.

If you can imagine this, my distinguished colleagues, you can perhaps appreciate the terrible pressures placed upon an American child of Mexican descent by our rigid, Anglo-oriented school system. For the first few years of his tender existence he is raised in a Spanish cultural tradition. He understands Spanish. His parents speak it. The first words he hears and the first words he speaks are Spanish. He begins to develop what could be truly a bilingual ability.

But that ability is suddenly, ruthlessly squashed by a system geared to a monocultural, monolingual society which proceeds to strip the child of his heritage, his dignity, his pride, and his very personality. He must then struggle to assimilate another culture—the Anglo-Saxon. This battle he fights throughout grade school only to learn when he reaches high school that he has been the victim of a cruel, ironic joke.

He now finds that he is expected to learn another language. But it is too late. The pressures of grade school have left him with a stunted ability in both languages and both cultures. Worse than that, the system has left him, after many humiliating defeats, with a spirit broken of pride and the desire to go on.

The results have been tragic, as is shown in our 1960 census:

The median scholastic achievement level of the Mexican-American student in the Pacific Southwest is far behind that of his Anglo-American classmates.

The census showed that in Arizona, the Mexican-American completed a median 7 years of school, nearly 4 years less than his Anglo-American classmates.

In California, my own State, I am sad to say that the Mexican-American completed a median 8.6 years, 3½ less than his Anglo-American classmates.

In Colorado, the Mexican-American finished 8.1 years, exactly 4 years less than his classmates.

In New Mexico, he completed 7.7 years, nearly 4 years less than his classmates.

And in Texas, with its 2 million Mexican-Americans, he completed a mere 4.7 median years of education, less than half the education received by his Anglo-American classmates.

San Antonio, Tex., with its high Mexican-American population has the most depressed wage of any metropolis in the Nation.

A 1965 special census survey in East Los Angeles, which has perhaps the largest concentration of Mexican Americans in the United States, showed that the earning power of the people living there has actually decreased in recent years, in grim contrast to the earning power of other ethnic groups in our society.

Clearly, Mr. Speaker, we are squandering one of our country's greatest resources, and yet we have never needed our Americans of Latin American heritage more than we need them right now.

Latin America, with its 28 nations and 200 million people, today should be looking to us for leadership in education. The President has set forth as one of our great foreign policy goals helping to educate the underdeveloped nations of the world. And we should do that. This Nation should take the lead in international education, especially in our own hemisphere, and I shall suggest a manner in which we can do that shortly.

But how can we expect to participate in educating Latin Americans when we have not done the job of educating our own countrymen who are of Latin American descent. Therefore, if we are to pursue the President's long-term goal of helping our Latin American neighbors educate their people we had better get busy educating our own.

We need to bring to bear on this problem the resources, the programs and policies that will encourage State efforts in this critical area of concern. We need to continue and expand the beginning that has been made under Project Headstart. We need to consider the kind of constructive proposal that the distinguished gentleman from Florida [Mr. GIBBONS], has put forth in his legislation for "Project Good Start." This program would follow through on Headstart continuing to give those children who need it the extra support and encouragement through the elementary grades. We need to establish programs which will train teachers to deal specifically with the problems of the bilingual student and programs which would assist him in perfecting, not destroying, a precious talent.

Thus, Mr. Speaker, our first step in taking the lead in education in this hemisphere would be to give top priority to see that our own people who are of Latin American descent get the opportunities and the education to which the rest of us have access.

Our next step, Mr. Speaker, should be to search out the avenues in education which we could pursue in becoming an effective catalyst to bring about cultural and political understanding among American Republics of the North and South.

Personally, I feel that one such avenue stands out. That would be the creation of a cultural interchange center to establish new lines of north-south communication, to invite new understanding and new rapport in common commitments toward common goals, and to bring organization and support to the many diverse efforts now being made by colleges and universities, by governments, and private foundations, and by the dedication of individuals to bring about harmony of purpose and action in our hemisphere.

The people of California, including its nearly 2 million Mexican and Latin Americans, are anxious and willing to initiate such an effort.

In recent weeks, I have discussed the need for a cultural interchange center with persons both from our State and other States.

Individually, they envision many things that such a center could do—but the sum of their visions is that it could create an atmosphere for progress in our hemispheric relations, that it could cement the good intentions of hemispheric leadership into action programs evolving from coordinated study and coordinated project planning, and it could allow us to harness the human resources of nearly 2 million Spanish-speaking people in California alone, plus several million others throughout our Nation, into a positive, cohesive force.

In working toward the creation of such a center, the United States could become the catalyst to bring about cultural and political understanding among American Republics of the north and the south. Today such understanding is still a long way from reality.

Many American nations to our south have numerous cultural values, such as language, which tend to fuse them. Because of this common Hispanic and Indian cultural heritage, they share an innate understanding of each other's concerns.

But effective communication between our Nation and our sister American Republics is often stopped short—in spite of the best intentions on the part of both parties—because of a lack of trust or "simpatia" brought about by our different cultural frames of reference.

As a nation that is basically Anglo-Saxon in heritage, we sometimes find it difficult to perceive the needs of our neighbors as they perceive them.

Conversely, they often misintepret our forward, outgoing approaches as being aggressive and overbearing.

If we are to work effectively and cooperatively with our neighbors, we must establish a base for understanding. This is to our benefit as much as it is to theirs. Together, with a program of international education, we in the Americas can work as a mighty force for world betterment, for the implementation of meaningful, cooperative constructive ventures. Cultural interchange on a significant scale must take place. I can think of no more effective means to bring about understanding than a program or programs which would allow the creative minds of the United States to interact with the creative minds of Mexico and Latin America.

Some programs aimed toward this end have already been initiated. However, the number of participants is pitifully small. According to the latest statistics available from the Office of Education, only 323 Latin American students were admitted to our colleges and universities in the scholastic year 1964–65 with U.S. Government financial assistance under the exchange program. Under the same program, only 69 students from the United States went to schools in Latin America.

Other exchange agreements, involving sister city participation, "Operation Amigos" in San Diego; the Peace Corps; AID; U.S. Office of Education and U.S. Information Agency, have proven at a grassroots level that there are many rewards to mutual understanding.

Last February, our President pointed out that education lies at the heart of every nation's hopes and purposes, and that it must be at the heart of our international relations.

With Mexico and Latin America, there is a special path for us to follow to achieve the trust and rapport which we seek.

This is where our 5 million Americans of Latin American descent can provide the educational and cultural link which we need.

I urge that we step boldly into cooperative educational programs with Latin American countries, but that we do so fully cognizant of our past errors, both at home and across the border. Also, I urge that we call upon the talents of our own loyal Mexican Americans to help us set the guidelines and form the policies which will allow a program of cultural interchange to grow and broaden us all.

In my State of California, there are many Mexican-American educators who are totally qualified to administer such a program. Many of them have been fighting the battle of better education for the bilingual, bicultural child for decades. Until recently their voices have been muted by the standard bearers of the status quo, educational dust collectors who oppose change on general principle—who think that interchange is a one-direction street.

The Mexican American is in a unique position to help us identify and develop educational projects of value to all the peoples of the Americas. We must use him, not for his sake, but for the sake of all of us. He is our bridge between two great cultures.

It is important, in undertaking any such project, that we realize that we are not embarking on a sentimental project of good will and conviviality. We are making a solid investment in the future.

A cultural interchange center could serve to encourage human betterment through the provision of a basis for further action in national and international development and programs of advanced education. It could provide scholarships to students from Mexico, Central America, South America, and the United States, with special interests and special abilities which could be harnessed to foster intercultural harmony. It could disseminate knowledge and create new knowledge. It could serve as a coordination center for the entry of Latin American students to the United States, and the exit of North American students to the countries south of us. It could provide a demonstration center for creative, new techniques in such areas as bilingual, bicultural schools.

We are entering an era where the man with one language and one culture will be at a disadvantage in world society. This man will not be able to represent his country, to present his government's attitudes and goals, effectively as a monolingual, monocultural being.

The United States needs to develop hundreds of such citizens, individuals who are truly functional in two languages and two societies, if it is to make an impact on Latin America.

Conversely, it needs to acquaint potential Latin American leaders with our country, our culture, our goals, and responsibilities as a nation of world influence.

Exchanging persons, allowing them to study the modes of their neighbors, encouraging them to grow into positions of leadership in fostering better intrahemispheric communication, is probably the least expensive and most effective means of achieving the kind of unity of purpose that must come to our hemisphere.

Capitalizing on the human resources of every nation in the Americas, including our own, we are creating a dual man—one who is fully functional in both the Anglo-American and Hispanic-Indian societies. We are shaping and sharpening his experiences and knowledge in both cultures.

Through education, we are giving the promising young men and women of our hemisphere the cultural mobility which they must have if they are to weave together the great people and the great cultural assets of the United States and Latin America.

I envision a cultural center which would encourage educational interchange between these two continents, which would harness the dormant natural talent we have in California and other States of the Southwest, and which would coordinate this interchange.

I feel that U.S. leadership is wanted and needed for such a center to become a reality. I know the people of my State of California would be willing to do everything within their power to bring about such a unique and beneficial center.

Mr. VAN DEERLIN. Mr. Speaker, will the gentleman yield?

Mr. HANNA. I am glad to yield to the gentleman from California [Mr. VAN DEERLIN].

Mr. VAN DEERLIN. Mr. Speaker, I am happy to rise in support of proposals offered by a colleague who so ably represents a county adjoining my own.

The building of a cultural interchange center is certainly a creative solution for lessening the gap that separates the two great cultures of North and South America. Even though we are neighbors in the same hemisphere, the nations of South America and the United States often fall victim to the tensions and mistrust that feed upon a lack of communication and understanding.

The creation of a cultural interchange center is a positive, advantageous venture when judged by the standards of our foreign and national self-interest. Such a center, dedicated to education and communication, would do much to bring into harmony the cultural and political goals of the two great Americas. Only by constructing a firm foundation of understanding can all the nations of the Western Hemisphere work together to solve our common problems in a meaningful way.

Domestically, we would have much to gain. The State of California is fortunate to have a resource as valuable as its 2 million Mexican-American citizens. These citizens, whose roots are to be

found in the cultures of both English- and Spanish-speaking nations, can perform a meaningful service in helping us establish the guidelines the center will follow and the goals it will hope to achieve.

In conclusion, Mr. Speaker, we would be guilty of negligence if we did not take advantage of this creative solution for both increasing understanding and communication between the nations of North and South America, and harnessing into a constructive force the talent and energy of our own Mexican-American citizens.

Mr. HANNA. Mr. Speaker, I thank the gentleman for his support.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

Mr. HANNA. I am glad to yield to the gentleman from Texas.

Mr. DE LA GARZA. Mr. Speaker, I would like to commend the gentleman from California for a valiant attempt at the Spanish language at the beginning of his talk, and to commend him very highly for his facility in the Spanish language.

Mr. Speaker, and the gentleman from California, I would like to say briefly, after accepting the fact that you have brought to us a problem which is prevalent in the United States, that we in the State of Texas have attempted to somewhat alleviate that problem in the past.

Mr. Speaker, I was very happy that the gentleman from California mentioned the Headstart program, because we felt that the beginning of the Headstart program was in Texas when I had the privilege of serving in the State legislature, and of helping pass a bill called the preschool English legislation, by which we attempted to teach those children in the schools who did not speak the English language fluently the basic 400 words of the English language before they entered the first grade, so that they would be fluent, at least, in the basic vocabulary of the English language when they entered the first grade.

Second, the other point that the gentleman from California brought out is to this effect: We in this country should feel proud to have neighbors who look to us for leadership—but there are some Members of this Chamber who would like for us to be entrenched in our country with a wall surrounding it, and disregarding the fact that we have neighbors outside this country—this philosophy should have gone down with the prehistoric ages. But unfortunately we still have some who believe in that philosophy. However, we have to live with the people who are our neighbors, and the best way to understand them is to speak their language.

Mr. Speaker, the bulk of them try to speak our language. English is taught in practically every school to which one can go in the Western Hemisphere. That is the first foreign language that they attempt to teach their children.

So, Mr. Speaker, in this hemisphere with all but three of the Republics speaking the Spanish language, I think it would be very fortunate for us if we could more easily communicate, not in government to government, or that our President should speak with their President, although our President and his First Lady do attempt to do so, but that the people in the communities in this country should do that, and it is spreading.

Mr. Speaker, I have visited four places in Fulton, Ky., and Fulton, Tenn.—they are twin cities right on the border, where they have a banana festival, and they invite people from all of the countries that produce bananas in the Western Hemisphere to participate in the festival.

Of course, Mr. Speaker, the gentleman from California [Mr. HANNA] is very familiar with what they have done in California. We are doing the same thing in Texas.

Mr. Speaker, I would like to tell the gentleman from New Jersey that I participated in a Spanish Day at the Newark schools, where all of the students gathered to have Spanish dances, and songs, in which all of the people of Newark participate. Mr. Speaker, I commend the gentleman from New Jersey for that.

So, Mr. Speaker, the gentleman from California [Mr. HANNA] is bringing to us and to me a problem, and I believe is suggesting, as the gentleman usually does, a very excellent solution to the problem that we face, and for that I commend the gentleman.

Mr. HANNA. Mr. Speaker, may I say to my friend, the gentleman from Texas [Mr. DE LA GARZA], Desde mi corazon, muchisimas gracias, Señor DE LA GARZA.

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

Mr. HANNA. I yield to the gentleman from Texas.

Mr. CABELL. Mr. Speaker, may I join with my distinguished colleague, the gentleman from California [Mr. HANNA], in his expressions, I being a resident of a border State myself.

I realize so very definitely and so graphically the need for better communications between the members of the Western Hemisphere. I do not think that anything could be more meaningful in obtaining solidarity of the Western Hemisphere than we should learn to communicate to a great extent with our neighbors to the south. Not only would it help us economically in our business dealings, in our trips to and from our neighbors to the south, but by learning more of their language and being able to communicate with them, then by the same token we can learn more of their culture, we can learn more of their own emotions, we can become so much better friends.

Lack of communication is the barrier that stands between us at the moment and if we are to further a people-to-people program, then certainly the first step should be that we give more emphasis to learning the language of our neighbors and thereby becoming a real community of nations in this hemisphere.

Mr. Speaker, I am proud to join with my colleagues in this effort.

Mr. HANNA. I thank my colleague.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

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

Mr. DON H. CLAUSEN. Mr. Speaker, I simply want to rise to commend my colleague from California for presenting in his own inimical way a problem that certainly is deserving of a great deal of attention. I would say this for two reasons. First of all, the gentleman from California served very ably in the field of education and as the chairman of the Education Committee in the Assembly of the California Legislature.

Mr. Speaker, just having returned from the World Forestry Congress in Madrid, Spain, where there were some 91 countries in attendance, the one thing that was left in my mind and that left a great impression on my mind was the fact that we from the United States, even though we had the largest delegation, seemed to expect everyone to speak the English language.

Mr. Speaker, I regret to say that we were somewhat embarrassed by the fact that we are not multilingual or at least bilingual. So I think the gentleman's remarks are not only timely but I think, as both of the gentlemen from Texas have expressed, certainly if we are going to promote hemispheric solidarity, the one thing that is absolutely mandatory is to be able for us to have the proper ingredients of communication. This can only be accomplished if we have the bilingual and multilingual capacity.

Mr. Speaker, I want again to extend my appreciation to our colleague for bringing this matter to the attention of the House.

Mr. HANNA. I thank the gentleman.

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

Mr. HANNA. I will be glad to yield to the gentleman from California.

Mr. ROYBAL. Mr. Speaker, I wish to compliment my colleague from California [Mr. HANNA] for so forcefully bringing to the House of Representatives the problems that the Mexican-American children face when they enter school.

You can easily imagine, Mr. Speaker, the boredom and, more important, the frustration of a 6-year-old child who knows only Spanish and is suddenly forced to spend several hours a day listening to English. The child is expected to be content with this situation. He is expected to read and write English, which in many respects is foreign to him, in the same amount of time that an English-speaking child learns to read and write the English language to which he has been exposed since birth. Of course, the Mexican-American child, unless he is especially gifted, cannot do this. He, therefore, remains in the same grade or goes on to the next grade unprepared. Finally in desperation and exasperation he drops out of school.

My colleague Mr. HANNA has already given us the sad statistics on the number of Mexican-American dropouts. I would like you to consider the problem by picturing the life of one boy living in our complex society with only an eighth grade education. How will he get his job? Will he be able to complete a simple income tax form? Will he have

enough understanding to pass the written test for a driver's license which may mean livelihood for himself and his family? Will he be able to read the newspapers and magazines dealing with the current events of the day? In short, what will he do in his leisure hours? And finally, who will be his friends? It is quite obvious that it will not be the professional person or the intellectual of our society but others like himself who may find solace together as they endure existence in the pockets of poverty of our society.

What is the solution to this problem? One very obvious solution is equal educational opportunities. The Mexican-American child must be taught English before he is forced to enter a classroom where only English is spoken. This answer seems so obvious that I should be embarrassed to point it out. I am not, however, because the lack of any widespread effort in this direction indicates that the need for such a preschool program has for generations been ignored.

Mr. Speaker, we can no longer afford to ignore this great social need. None of us deny the importance of an education. We must not then deny the Mexican American his opportunity to obtain an education by refusing to adjust our school systems to his special needs.

Mr. HANNA. I thank the gentleman and all the gentlemen for their very cogent remarks. It seems clear and stark that we have a great opportunity to change what has been looked upon as a weakness into a strength. As has been pointed out here, we must recognize that we are moving forward into a multilingual world, and we are not outside that world, as the gentleman from Texas has said. Therefore, we should take our strength out into that world and utilize what we have here as basic resources. Certainly there can be no better ambassador into the Latin-American countries than well-educated Latin Americans who have the strength of a pride in the heritage that they have from their past and an added strength of heritage they have received in the United States.

It is with this double strength that they can go forward in the name of our country and do our work. But we need to initiate and promote the institutional approaches both for the problem within and the problem without.

I hope that the suggestions that I have will receive the attention and consideration of all of the Members of the House.

BRITAIN TODAY AND THE UNITED STATES TOMORROW: A PREVIEW OF WHAT IS TO COME

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Louisiana [Mr. WAGGONNER] is recognized for 20 minutes.

Mr. WAGGONNER. Mr. Speaker, if ever a nation had a golden chance to look into a crystal ball and see the fate which lies ahead, we in the United States have that opportunity now. By the simple expedient of taking a searching look at the situation in Great Britain today, we can see the United States a few years from now.

As a result of a shocking number of parallel actions, Great Britain has preceded the United States into economic chaos, but there is small comfort in it for us, because our Nation is hot on her heels. We seem determined to make the same mistakes.

Examine for a minute, the parallels:

Great Britain and the United States have both consistently overspent their budgets since World War II. Red ink has flowed like wine in both countries.

Great Britain and the United States have borrowed and borrowed until neither our currency nor theirs is worth half of its former value. The pound, devaluated scarcely a dozen years ago, is under heavy pressure again.

Great Britain is wallowing in the ineptness of medicare, which they, at least, call by its correct name, socialized medicine. Our venture is just now beginning; we have learned nothing from their failure.

Our gold reserve is at an all time low, with not half enough in the vaults of Fort Knox to satisfy the foreign dollar credits.

Wages have risen here in the United States at a ratio comparable to that of Great Britain and, at the same time, productivity has not kept pace.

Ask the British housewife how far her pound goes at the grocery store and then compare her answer to that of the housewife here at home. You will find their answers are exactly the same.

It used to be a rule of thumb that, once taxation passed the 33⅓-percent mark, a government could not survive for long. Our present tax level here in the United States is beyond that point already and heading higher. It is common knowledge that, as soon as the November elections are safely passed, the administration will pressure the next Congress for tax increases that could run close to 10 percent more than we are paying today.

With our two nations running side by side, both at breakneck speed down the road to socialism, it is inevitable that the two nations will come to the same end unless we reverse our course. In Great Britain today, prices and wages have been frozen, sales taxes have been increased, downpayments on some items, already at an exorbitant rate, are increased to a point of unreachability for most Britons. Other restrictions are planned and are sure to come.

The first major decline of the British pound came just 2 years after the stock market crash in 1929 here in the United States. Foreign investors began wholesale withdrawals from London banks for the simple reason that they felt Britain could not continue on the gold standard. They were right, because about 30 days later, Britain went off the gold standard.

In the wake of World War II, the United States and Britain undertook the impossible task of banking the world. The difference between this Nation and Britain, however, was that our postwar boom kept our economy afloat. Britain, however, chose to take another hitch in its belt and allow their war-damaged and, by then, outmoded industrial machinery to deteriorate further. As a result, the pound was further devalued about 25 percent to its present value of just under $2.80.

For a time, profits from foreign investments hid from view the plight of the pound, but as the Commonwealth and other foreign nations' industry got back on its feet, less and less demand was made for British sterling. Today, nonsterling countries are lending the Commonwealth three times as much capital as does London. In the fifties, with a world shortage of credit, other countries bid higher than Britain could afford to go and, even though interest rates in London have been raised systematically, the tide could not be stemmed. Like the depositors in any bank, the traders have withdrawn whatever money they judge Britain has overextended.

This is a repeat of the situation in 1956 when there was a run on London because it was obvious that Britain did not have the resources to wage the Suez war. Again in 1961, the run began to accelerate and once again in 1964. Only the intervention and support of the United States saved the pound. Again this month, confidence in Britain's ability to raise production without inflation has dwindled and the scramble is on again.

The British people have been asked to rise to the occasion and furnish the money needed to bolster the collapsing pound. They have been asked to do so by submitting to new and more extensive controls, prolonged austerity, and industrial stagnation.

The handwriting is on the wall. The United States and the dollar are on this same rollercoaster. Sole blame cannot be laid to Vietnam either.

To fail to see what lies ahead of us is self-blindness and, for those of us here in the Congress who have the major responsibility to correct our course, it is a cruel hoax to pretend that the inevitable will not happen. It has always been my belief that if you want to know something about the road ahead you should ask the man coming back.

We have loaded social-welfare program after program onto the backs of the people in the past decade. No scheme is so lunatic as to fall on deaf ears here in the bureaucracy, even to a guaranteed wage. Of course there is inflation. There will continue to be inflation until the administration lessens its demands and the Congress stops giving in to every Socialist scheme that occurs to any and every half-baked bureaucrat.

Britain, in the death throes, is making an effort to dampen the fires their own improvidence started and fed. The question is, properly: Is this too little and too late? It may not be too late for the United States to learn a lesson from what is happening over there. If it is not too late, then this administration and this Congress should thank God for being provided this object lesson and should set about doing whatever needs being done to put our own house in order.

If we do not, then the economic wizards who do not believe in fiscal responsibility had better begin preparing some good stories to tell the people when wages, prices, dividends, and incentive are all frozen here in this country. The people will want to know why and the answers had better be good.

THE TIGHT MONEY MARKET

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. CONTE], is recognized for 15 minutes.

Mr. CONTE. Mr. Speaker, the continued inactivity of the Johnson administration has caused a most serious crisis to continue without an attempt at control or abatement. I refer to the almost total lack of response by the President to cope with the most serious problem of inflation and the tight money market.

In the Berkshire Eagle of July 18, the nationally syndicated column of Rowland Evans and Robert Novack said:

President Johnson telephoned Secretary of the Treasury Henry H. (Joe) Fowler soon after he arrived in Texas early in July that the time had come to do something about the lack of mortgage money and the crippled housing industry.

Mr. Johnson himself wants to keep in the background.

The President is now suffering from the lack of a clear, consistent economic policy combining both fiscal and monetary measures.

Several weeks have passed since Mr. Johnson's call to Secretary Fowler yet the situation is still deteriorating.

The weekly index of Business Week magazine for last week showed there is a trouble spot in the current index—the monthly construction figures. Overall, total construction is still 4.9 percent ahead of a year ago.

But construction levels are dropping, especially in comparison to activity earlier this year. Residential building is now 9 percent below a year ago. In May, the figure was only 2.6 percent below its year-ago level. Total construction for the month of June was at the lowest level in 8 months.

The figures from the Business Week index are being confirmed in other surveys of the construction industry.

In my contact with the people in the construction industry and allied fields, both here and in Massachusetts, I find a great deal of concern over the lag in construction which has resulted from the inability of families to secure financing or to secure it at a reasonable rate.

A printer in the Washington area who sells architectural materials and whose printing business is closely connected with the construction industry informs me that a few months ago he was understaffed by 32 employees and that he could not find people to fill the jobs. Today he is overstaffed and would have no difficulty in securing additional employees if he needed them.

When a bank, as a recent national magazine pointed out, had their switchboard operator tell prospective borrowers that the bank is not making any additional construction loans at this time, we are in trouble.

In the Boston area a recent survey showed there has been a decline in overtime for ready-mix concrete distributors and masons. This means there are fewer foundations being laid and naturally fewer homes being built.

A survey by the Builders Association of Santa Clara and Santa Cruz Counties distributed by my colleague from California, CHARLES GUBSER, shows a decline in employment from September 1, 1965, to July 1966 of 57.4 percent for carpenters, teamsters, operating engineers, cement masons, and laborers. A 39-percent decline in office employment and a 41-percent dip in executive staffing.

It is estimated that there was a 50-percent reduction in mortgage lending by savings and loan associations during May 1966 compared to May 1965.

Last year during the peak months of the building season, loans ran approximately $2 billion per month. It is estimated that for the current year, loans will run slightly over $1 billion per month. Commitments to purchase mortgage loans were considerably less than 50 percent in May 1966 compared to May 1965.

During the first 4 months of 1966 there were over 37,000 fewer construction loans than the first 4 months of 1965. Some knowledgeable people in the area feel there will be further shrinkage in this market in the second half of 1966.

What do all these assorted figures and percentages tell us? They only serve to confirm what builders have known for some time—homebuilding and homebuying, one of the Nation's largest industries, is faced with a major slump.

The cause, most people seem to agree, is the inflationary fiscal policies of the Johnson-Humphrey administration.

One of the most inflationary fiscal policies followed by the administration was the passage of the Participation Sales Act of 1966.

This measure, forced through by the Democratic majority, gave authority to the Federal National Mortgage Association—FNMA—to sell participations in a pool of Government-held financial assets or loans, which could total $33.1 billion.

The Republican members of the committee considering this measure were not presented with a copy of the bill until a half hour before the committee hearings began. Then only 2 hours of hearings were held.

The Republican members of the committee were denied the right to call any witnesses. Moreover, not one witness from the unions, farming, business, or banking communities was called. At the conclusion of the totally inadequate hearings the committee was called into immediate executive session and in less than 30 minutes the bill was ordered reported—1 day after President Johnson's call for this legislation was received by Congress.

As far back as May 10, the House Republican Policy Committee warned that:

The home mortgage market is in a state of turmoil and confusion. Home construction is at a dangerously low level. If the FNMA participation sales are authorized, the FHA and GI mortgages, and other home mortgages as well, will become less and less attractive to investors. In order to meet competition and obtain home mortgage financing, higher home mortgage financing costs will have to be imposed. As a result, the prospective home builders or buyers will be forced to carry an additional financial burden.

On June 23 two sales were made under the Participation Sales Act. The first was for $350 million of participation certificates of assets of the small business obligations trust at an interest rate of 5.75 percent with maturity varying from 1 to 5 years. The second sale was of $180 million in participation certificates of assets of the Government mortgage liquidation trust with an approximate interest rate of 5.40 percent with a maturity of 13 to 15 years.

By these sales, the administration is competing for the available money. Interest rates are the highest in the last 40 years. The rising demand for credit by the Federal Government and business has drawn funds away from credit-sensitive industries such as homebuilding.

Despite the fact that personal consumption has leveled off, plant and inventory expansion continue at a record pace as a hedge by industry against the continuing inflationary cost spiral.

The only remedy offered by the Johnson-Humphrey administration has been support for an ill-conceived effort to place a statutory interest ceiling rate over time deposits in banks and savings and loans institutions.

This finger-in-the-dike approach will will not create new savings nor direct additional funds to the homebuilding industry. On the contrary, it could drive personal and corporate savings from banks and savings and loans to government bonds, Federal agency issues, or the stock market—thereby further compounding the homebuilding problem.

The President can not continue his present practice of assuming credit for every achievement and passing the buck for every failure, as he recently tried to do with regard to federal spending. This time he must stand on his own record. His record of indifference and of keeping hands-off while a major crisis develops.

Since the administration seems to be gripped by inactivity in this area, I want to urge the President to adopt the measures recommended recently by the House Republican Policy Committee.

First. Slash nondefense, nonessential domestic spending. Not just in regard to appropriations, but also with respect to new program authorizations which trigger the appropriations process.

Second. Reduce point discounts on FHA and VA home financing through administrative adjustments of rates to more realistic levels. Five and six point discounts—$1,500 on $25,000 home mortgage—are stifling home financing and wiping out personal savings.

Third. Suspend any further issues of FNMA participation sales other than for VA and FHA pooled housing mortgages.

When the participation sales bill was being debated, the President was warned that this multibillion dollar budgetary gimmick would place severe strains on the private credit market and push up interest rates to record levels. Experience with the program has fully confirmed these fears.

Fourth. Enact the Republican initiated proposal to grant FNMA additional borrowing authority in a prudent and legal manner.

Fifth. Remove FNMA's $15,000 administrative limitation on purchase of mortgages under its secondary market operations.

Sixth. Appoint an emergency Presidential fact-finding committee on the homebuilding crisis to report its findings in sufficient time for congressional consideration prior to adjournment of the 89th Congress.

These are stern measures. However, the ever-deepening homebuilding crisis demands that immediate and effective steps be taken. This "do not open until after election" tag must be removed from this problem.

AARON G. BENESCH

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. RODINO. Mr. Speaker, I rise today with a heavy heart. A dear friend, not only to me but to many in this Chamber, a courageous and kind-hearted newspaperman, Aaron G. Benesch, is no longer with us. His passing leaves us deeply saddened, yes, but there is a warmth in our hearts, and a twinkle in our eye for having known him. For Aaron was a person who, through a long and distinguished career in a rough and competitive field, maintained at all times a dignity of self, a wry sense of humor, and above all, a kindness of spirit that endeared him to all who knew him.

Aaron, who was a native of St. Louis, started out in 1913 as a $3-a-week copy boy on the old St. Louis Star. He later served as the Washington correspondent for the St. Louis Globe Democrat, and, back in St. Louis, as managing editor of the Globe Democrat and the old St. Louis Times. In 1957 he returned to Washington as a member of the Newhouse National News Service, and was serving as associate editor at the time of his retirement on December 31, 1965.

Aaron's coverage of national politics went back to the 1928 Republican National Convention in Kansas City that nominated Herbert Hoover. And since 1957, he had been a frequent visitor to the offices of the New Jersey congressional delegation. In fact, Aaron, who wrote regularly for the Newark Star Ledger, became an adopted New Jerseyite, serving for a time as historian of the New Jersey State Society.

The outpouring of friends at Aaron's retirement party, and the scores of wires and letters from Congressmen, Senators, people throughout the Government, and newspapermen from all over the country who had worked with him, were an eloquent testimonial to a distinguished journalist and gracious gentleman. I think the sentiments of former President Harry S. Truman at that time were indicative of the feelings of us all:

> You have put in all of 50 years in the hectic field of journalism and that is a long time, even in a normal field of operation. I hope your transition from overactivity to retirement is as comfortable for you as it has been for me.

Unfortunately, Aaron was not able to long enjoy the relative calm of his retirement, or the pleasure of being able to spend more time with his lovely wife Eva and their daughter and her family. To them I extend my deepest sympathy, and the knowledge that their great loss is shared by all who had the good fortune to be touched by the joie de vivre that filled Aaron Benesch.

TRANSPORTATION, SALE, AND HANDLING OF DOGS AND CATS FOR RESEARCH PURPOSES

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PEPPER. Mr. Speaker, I have long been interested in legislation for the protection of laboratory animals and have sponsored legislation in this field over several years. I am very happy that Congress has at last taken action. It is a great pleasure to me to cast my vote for H.R. 13881. The conditions which have been exposed in the animal supply trade to laboratories require immediate reform. The theft of pets and the inhumane treatment of animals bound for the laboratories cannot be tolerated.

H.R. 13881 is a bill primarily designed to regulate animal suppliers. But in the Senate it was amended and in its present form it now contains sections applying to the laboratories themselves. These I consider to be weak and inadequate. For several years I have sponsored comprehensive laboratory legislation and am thoroughly familiar with the subject.

I should like to remind the House that there are something like 11,000 laboratories in this country; that more than a quarter of a million people are engaged in biomedical research; that annual expenditure for this research is approximately $2 billion a year; and, finally, that upward of 100 million animals are consumed by biomedical research every year.

There are many critical problems which require a legislative remedy but I cannot agree that the coverage of the present bill is little more than a token gesture.

Only 2,000 of the 11,000 laboratories will be covered; only 5 million of the hundreds of millions of animals will benefit from this coverage; and, lastly, the coverage itself is extremely limited. The Secretary is directed to promulgate standards for the care, handling, and treatment of these 5 million animals but these standards apply only until actual research begins, with the determination of when research has begun left to the research facilities. Personally, I fear that many of these animals will not be covered because in many facilities, I am told, animals are involved in the process of research throughout their stay in the laboratory.

Mr. Speaker, may I reiterate that the laboratory coverage of H.R. 13881 is little more than a token gesture.

H.R. 10050, introduced by me over a year ago, not only sets standards for housing and care but deals with many other matters. Standards for the proper administration of anesthetics and of pain-relieving drugs during aftercare are required. The science of statistics must be brought to bear in determining the number of animals necessary to be used in a given experimental series. Needless duplication is eliminated. Tissue cultures and less sensitive forms of life must be substituted for higher forms whenever possible.

The swelling mass of scientific information must somehow be brought under control so that every investigator may have the full benefit of work already done in his field.

In summary, Mr. Speaker, I take great pleasure in voting for the animal dealer provisions of H.R. 13881 and want to express my hope and earnest desire before this body that comprehensive laboratory legislation which is so badly needed for the protection of these hapless animals will soon follow.

REMARKS ON THE ORDER OF AHEPA

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MCCORMACK. Mr. Speaker, our Nation's Capital is privileged this week to have the opportunity to host the 44th Supreme Convention of the Order of AHEPA. I know that all of us want to wish a very hearty welcome to the thousands of Greek descents who are gathering here.

The American Hellenic Educational Progressive Association is an organization which bears living witness to the great cultural richness and democratic spirit which took root milleniums ago during the Golden Age of Greece. It is an energetic association with 1,125 local chapters in 49 of our States, the Bahamas, Canada, Australia, and Greece. It is an association which strives to enrich its members through fellowship, through instruction in the tenets of good government, through increased understanding of the attributes and ideals of

Hellenic culture, and through the development of a high moral sense.

The Order of AHEPA encourages its members to responsible, active participation in the privileges of citizenship. It is devoted to education and the search for new channels to facilitate the dissemination of culture and learning. It is responsible for one of our finest people-to-people efforts in its work to maintain strong and friendly ties with the citizens of Greece. AHEPA is a large-scale example of good citizenship in action.

The AHEPA was organized in 1922 as a national secret society by a small group of Greeks in Atlanta, Ga. But membership was not limited to those of Hellenic descent alone. Two of our greatest Presidents, Franklin D. Roosevelt and Harry S. Truman, our esteemed Vice President, HUBERT H. HUMPHREY, and many of our congressional colleagues have been welcomed as members in this outstanding organization.

Its early aims were to bridge the gap between Americans and Greeks and to help the latter absorb the American culture through contacts, naturalization, and other appropriate means. It offered a friendly, helping hand to the new immigrant. The organization grew rapidly. Today, the AHEPA program has expanded to include active support of Greek educational and religious activities, as well as encouragement and aid to a broad spectrum of civic and charitable projects. They have lent notable support to the political, civic, social, and commercial endeavors of their communities. But they have not forgotten the land of their ancestors. AHEPA's contributions to Greece have been marked by herculean effort.

Following World War II's devastation of Greece, AHEPA built seven health centers, two hospitals, a girls' shelter home, a preventorium, and an agricultural college, not to mention the countless other relief projects and worthy causes in Greece which have been bolstered by the helping hand of AHEPA.

The determined, and energetic Hellenic spirit which goes hand in hand with the aims of AHEPA has been one of the world's greatest benefactors. And the legacy of Greece and her people has made far richer the heritage of all of us. We are delighted to be able to welcome this 44th supreme convention to our Capital City.

TENNESSEE LOOKS AHEAD WITH NEW LAND USE PROGRAMS

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. ANDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, the people of Tennessee are working hard to develop our resources of land and water. One hundred percent of the farms and ranches in the State are included in organized soil conservation districts, and over 5,363,000 acres of land are covered by basic soil conservation plans.

These plans recognized fully the changes that are occurring in Tennessee, as elsewhere, in the use of land and water resources. For instance, in my district, in Hickman, Lawrence, and Stewart Counties, among others, many farmers are now offering farm vacations, converting croplands into golf courses and farm ponds, and generally entering the field of income-producing recreation.

This is a particularly apt use of land in Tennessee. Our climate, natural beauty and traditional hospitality—when combined with planned recreation—offer visitors a truly refreshing outdoor vacation. In many cases, also, the use of land for recreation is better for that land than constant cropping and, at the same time, provides the owner with higher income. This is one example of how soil conservation districts, with the technical assistance of the Department of Agriculture's Soil Conservation Service, keep abreast of the times with new solutions to the perennial problem of how to both conserve and wisely use our natural resources.

Another development I note in my district is the increasing appreciation, by nonfarm people, of the value and importance of land and water resources. More and more urban people are realizing they depend on land owners and land users not only for food and fiber, but also for good drinking water, for new suburbs and even for flood protection. Soil conservation districts contribute to proper land use in rapidly developing areas by, among other ways, cooperating on soil surveys and working on small watershed projects.

I have met with many soil conservation district leaders, and I am impressed by their dedication to the unglamorous, unpaid, but essential task of wise land use. I think they must feel, as did an early conservationist, Gifford Pinchot, that "a nation deprived of liberty may win it; a nation divided may reunite, but a nation whose natural resources are destroyed must inevitably pay the penalty of poverty, degradation, and decay."

Tennessee became known as the "Volunteer State" because our people volunteered so willingly in this country's wars. Today, their descendants continue to fight for their land both in battle overseas and in peacetime conservation projects here at home. I salute the volunteers of both kinds. They are both working for a better Tennessee and a better United States.

DICKEY-LINCOLN SCHOOL HYDROELECTRIC PROJECT

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HATHAWAY. Mr. Speaker, once again, my respected colleague from Pennsylvania [Mr. CLARK] has evidenced his interest in keeping our membership informed of facts surrounding the Dickey-Lincoln School hydroelectric power power project authorized by Congress last year.

I am compelled to refute the arguments offered by Mr. CLARK because he has failed to consider all the facts.

In his most recent attack on this project, so important to the citizens of Maine, our colleague from Pennsylvania presented a statement by Mr. Charles Hardy, a vice president of the Brotherhood of Utility Workers of New England, Inc., and an excerpt from the Utility Stock Valuations Report of the financial concern of McDonnell & Co.

I have been puzzled for a long time by the bitter opposition of the private power companies of New England to this project even though I have assured them that Dickey does not constitute a threat to their cozy empires. The McDonnell report admits that "the threat of a public power complex is more apparent than real," and further, that "this project will play a limited but important role in producing the power which New England will require in the years to come."

The McDonnell report also states that the future outlook for utility operations is excellent and expressed the belief that industry plans for more extensive power pooling and installation of larger and larger generating units will finally bring favorable utility economies to New England.

To keep the record straight, my colleagues should know that the New England private utilities had no great plans for improving utility economies until the Dickey project was authorized. Nor, before Dickey, was there any assurance that the electric bill of the New England businessman and homeowner would be reduced.

Mr. CLARK's second "expert" infers that only the private utilities and their employees understand the industry. Mr. Charles Hardy, vice president of the Brotherhood of Utility Workers of New England Inc., has charged that certain Members of Congress are being deliberately misled by claims of the amount of support for the Dickey project that exists within various union groups.

Mr. Hardy portrays himself to be an economist, expert in analyzing the hills and valleys of charts and graphs and able to fix their causes and predict their effect on the livelihood of the members of his union.

I submit that workers in textile plants, shoe factories, papermills, woodworking shops, tanneries, and elsewhere are expert enough in the field of economics to realize that the high electric power rates of Maine and New England have inhibited industrial development. The managers of their firms know this also. And that is why the overwhelming majority of organized labor has backed the Dickey project.

Finally, Mr. Hardy attacks the proposed Federal power "yardstick" as having no digits for taxes. Surely as an

economist he must know that private utilities pay no taxes. These are passed along to the consumer as part of his monthly bill.

Mr. CLARK renews his call for more study of the Dickey project, obviously on the grounds that it would be easier to study it to death than to defeat it on its proven merits. He states that he is joined in his point of view by "segments" of organized labor, the Association of Chambers of Commerce, by the private utilities of New England, the Federal Reserve Bank of Boston, and the Appalachian Mountain Club.

The motive of the private utilities is clear: They want nothing to challenge their empires, their monopolies, their hold on the economic development of Maine and New England.

The Association of Chambers of Commerce has, historically, shown itself to be against many progressive and valuable projects which might never have come about had their existence depended upon the support of this organization.

The judgment of the Federal Reserve Bank of Boston is balanced by that of the U.S. Department of Interior, the Federal Power Commission, the Bureau of the Budget, several congressional committees, and Congress itself which has seen fit to authorize this project.

The opposition expressed by the Appalachian Mountain Club is difficult to comprehend because authorization of the Dickey project has meant that the famed Allagash River could be preserved in a wild state. No other conservation group, in Maine or elsewhere, has come out in opposition to the Dickey project. So it is strange that the only opposition from conservationists came from Boston, some 500 miles from the Dickey site.

Mr. Speaker, I thank my colleagues for their attention. I have welcomed this opportunity to correct the record.

AIRLINE STRIKE SETTLEMENT IN THE PUBLIC INTEREST

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FASCELL. Mr. Speaker, it has been my hope that as a result of collective bargaining labor will obtain a fair and just settlement of its dispute with the airlines.

I know that all Members applaud the tremendous effort made by the unions and the airlines to resolve their differences and achieve a settlement without the necessity of any congressional action. Therefore, I am sure that we all hope the settlement agreement is ratified on vote of the local members.

Both sides, however, after 40 days of strike are fully aware that at some point the public's convenience and necessity will demand an end to the severe hardships which continuation of the dispute would work on innocent sectors of our Nation's economy. Severe interruption of interstate commerce, in this case 60 percent of all passenger air miles is of justifiable concern to the Congress.

If the parties do not reach a final agreement, we will very shortly have before us a most complex and trying issue. The definition of the limits of freedom in collective bargaining is both the anguish and the glory of democratic government, and is best left with the disputants, if possible. The Government, however, cannot afford to unduly delay action to define those limits when groups directly concerned cannot set their own limits.

The strike, which concerns us all, was called only after all available means provided by present law had been exhausted. The machinists union clearly had no alternative but to strike for what it believes to be a fair and equitable settlement.

It has been alleged that profits of the five airline companies involved doubled from 1964 to 1965, and during the first half of this year they rose by another 30 percent; earnings from the airlines' capital have resulted in profits ranging from 16 to 20 percent.

Mr. Speaker, during much of the period that the airlines were growing and investing heavily in capital, the machinist's union exercised restraint in its request for wage increases. The increases it received from the last settlement could scarcely be termed large.

In fact, gains in actual buying power advanced by only about 2 percent per year for machinists union members in the five airlines from 1960 to 1965. During this same period there was an average annual increase in productivity of airline employees of 7.4 percent per year. This is about twice the rate of advance in employee productivity in the economy as a whole.

These and other statistics show that there are certainly two sides to the airline dispute.

The mantle of unpopularity, however, falls, as always, solely on the shoulders of the union members. They are the ones who, under present law, are forced to choose to strike if they cannot get a fair agreement. Thus in the public's mind they are charged with ignoring public convenience and necessity.

It is for this reason the unions took their case to the public as is evidenced by advertisements appearing in our local press, one of which I will read to my colleagues, because it expresses the feelings of the local unions who, after all, are the heart of the labor movement:

[From the Miami Herald, Aug. 5, 1966]

WE'RE SORRY FOR THE INCONVENIENCE, BUT THE PUBLIC IS ENTITLED TO KNOW—

Who are the striking members of the International Association of Machinists? We are 35,000 strong in a union representing more than 1,000,000 members. We are your friends, your neighbors, and your relatives. We contribute to the United Fund, the Heart Fund, and other worthy charitable and civic causes. We donate blood, serve as scout troop leaders . . . and when our country or freedom was threatened, we fought and bled in three wars, and members of our families now fight for freedom in Viet Nam.

WHAT WE DO

We are dedicated to keep America's planes flying . . . with a quality safety factor second to none. We are the mechanics and service people who test, fuel, load and ready planes for their flights. We work hard to assure the maximum safety of planes and to earn a living for our families.

WHAT WE GET PAID

What's the reward for our dedication and hard work? We get from $2.05 to $3.52 per hour. For this, under strict government regulations, we must also take the risk of a fine of $1,000 to $10,000 or a year to ten years in jail, or both, if we are responsible for the unairworthiness of a plane.

INCENTIVE SHARING WITH GREEN STAMPS

Airlines are making record profits. Executive and stockholders are piling up unprecedented financial benefits. What do the airlines believe is our fair share? Typical of the airlines is Eastern Airlines' plan. This plan provides for large stock options and cash incentive bonuses up to a maximum of $200,000 a year for those who already receive swollen salaries. How do we benefit in a period of rising profits and the increased productivity we have contributed to the aviation industry while inflation increases the cost of everything we buy? We're the low men on the totem pole. To ease the erosion of our income in 1965, we were offered an incentive with a so-called "Share the Excellence" program. What does this pay off? It pays off in Green Stamps instead of extra cash. Banks won't take Green Stamps for mortgage payments. We can't buy food with stamps and we can't pay the doctor or tax collector with Green Stamps. Oh yes! If we are awarded Green Stamps, we are required to report their value as extra income to Internal Revenue!

WHAT DO WE WANT?

We originally asked for a 15% increase in pay and certain fringe benefits common in this and other industries. This was later modified by our negotiators to a 5% increase for 1966, a 5% increase in 1967, and a 4% increase in 1968. Is this a reasonable request? In the past three years Federal employees have received a 15% increase. The City of Miami Beach approved increases up to 14.5% for its employees. The City of Miami has authorized substantial increases for its employees, and Metro has increased employees' salaries by 10%. Congress did all right, too. They voted last year to increase their salaries $10,000 a year. All we want is a fair living wage and decent working conditions, too.

WHO RUNS OUR UNION?

We elect our officers by secret ballot in free election. We, the members, tell our officers what we want. We make our own decisions whether to accept the proposals presented by our negotiators. We decide by the ballot whether to accept settlement proposals or continue the strike. The members of the International Association of Machinists run the union.

IS COMPULSORY SERVITUDE THE ANSWER?

We have been threatened with special Congressional punitive legislation . . . which would force us to continue working for low pay and poor working conditions under the constant threat of being fined or jailed if we fail in our job of keeping planes flying safely. Carry such an unconstitutional concept to its ultimate end and we would not be permitted to quit or retire unless we received permission from the Federal Government. It could happen to you, too.

Is this what we fought three wars for in this century and are now fighting for in

Viet Nam? Is this the kind of regimentation and deprivation of liberty of choice and conscience that the majority of Americans want? Is compulsory servitiude the answer? We think not. That's why we've brought these facts to you. Yes, we're real sorry for the public's inconvenience, but there are two sides to any labor dispute and it's only fair that you, the public, understand how it looks from our point of view.

AIRLINE MAINTENANCE LODGE 702, THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS.

However, Mr. Speaker, considering the damage to the public and the substantial interruption of interstate commerce, after a strike of 40 days, time has been and is a vital factor to the rest of the public. Accordingly, I trust that the settlement as negotiated can be ratified as a fair and equitable settlement.

AARON BENESCH

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I received the sad news this afternoon that Aaron Benesch, recently retired associate editor of the Newhouse National News Service, passed away after a short illness. This announcement will be accepted, I know, with great sorrow by his many friends and admirers throughout the country.

Aaron Benesch was the $3 a week copy boy for the old St. Louis Star who rose to be associate editor of one of the largest and most respected news reporting services in the country. He was a newspaperman for 50 years, reporting the facts as he saw them and as they were. Above all, he was fair and possessed of an integrity that set an example for all who knew him.

There are two lines from one of Abraham Lincoln's favorite poems by William Knox which describe life as, "Like a fast-flitting meteor, a fast-flying cloud, a flash of lightning, a break of the wave," like these, Aaron Benesch has passed all too quickly. Throughout his active life Aaron was before everything a kind man, a family man, and a man with a deep love and respect for his fellow human beings.

By his death we have lost a dear friend and an outstanding newspaperman. I cannot express my deep sympathy to his gracious wife, Eva, and his family. We are together at a loss for words.

STREET SCENE: SUMMER WORK PROJECT KEEPS TEENAGERS BUSY

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CORMAN. Mr. Speaker, at this time I would like to bring to the attention of my colleagues a story which appeared in a recent issue of the Los Angeles Times. It concerns a project called Street Scene, which is now operating in my district.

Street Scene is funded through the EYOA and is designed to solve some of the problems faced by young adults in economically depressed areas. It is a program which is achieving positive results through positive action.

I am proud to insert in the RECORD, for all to read, the story of Street Scene:

SUMMER WORK PROJECTS KEEP 55,000 TEENAGERS BUSY

(By Jack Jones, Times staff writer)

In the Pacoima, Wash., area, between the "turfs" of rival Negro and Mexican-American youth gangs, a young work crew with a 50-50 ethnic mix was cleaning the trash out of the yard of a welfare recipient.

"You'd be surprised how much these guys really feel about the community," said Ernie Dillard, 28-year-old director of the North Valley Youth Center, where a summer antipoverty project called "Street Scene" is headquartered.

"We sure as hell haven't ended all the problems, but we've got some of them working together for a change."

"Street Scene" is operated by Project Pacoima, a citizens' group formed to involve gang-oriented youngsters and young adults in community organization for positive purposes.

KEEPS TEEN-AGERS BUSY

With a $66,000 federal grant through the Economic and Youth Opportunities Agency, it is a small part of a $2.3 million local summer crash program to keep teen-agers busy during the sweltering, otherwise idle months.

The overall county program, including operation of 150 Teen Posts for recreation and cultural activities, touches 44,000 young people.

In addition to this, 3,152 teenagers have been hired by the Neighborhood Youth Corps (at $1.27 an hour for a variety of jobs for the summer only) at a cost of $1.2 million.

Added to Neighborhood Youth Corps enlistees already on the payroll before summer began, the EYOA estimates that 55,000 county teenagers and young adults are busy (part time, at least) under summer antipoverty programs.

Included:

1. Operation Champ—The largest of the package. Supervised by the Los Angeles City Schools and involving 18,000 youths from ages 5 to 18 in recreation and work programs.

2. Recreation Sports Leadership Training Program under County Department of Parks and Recreation for 200 youths.

3. Summer Educational Tutoring Program for 656 youths on probation, ages 17–24.

4. Work Experience and Training for Services Project under supervision of Special Services for Groups; training in community services work for 1,650 youths 16–24.

5. Community Leadership Training Program operated by Ocean Park Greater Parish, for 200 youths in Venice area.

6. Youth Adult Leadership and Community Development Project under the Community Services Organization, for 144 young people 18–24.

The list goes on . . .

Outside EYOA-supervised programs, there are other efforts to cool off the summer.

One of these is a $320,000, 10-week recreation and education program sponsored by the U.S. Department of Labor and the Watts Labor Community Action Committee for 2,100 Watts area youngsters 7 to 21.

The 14–21 age group—the Community Conservation Corps—earn money for clearing vacant lots and turning them into "vest pocket" parks.

While older boys and girls are clearing the lots and acting as teaching aides, 7- to 13-year-olds are to be enlisted in a uniformed Watts Cadet Corps under the CCC to learn discipline, reading skills, and a sense of responsibility.

Afro-American cultural heritage training sessions are being designed as part of this program to instill pride in the young Watts residents.

Street Scene is only one segment of the summer crash program, but Project Pacoima director Carl May and Street Scene director James Sherman are determined not to let it die with the summer.

SEEK MORE FUNDS

They are going to Washington, D.C., to seek year-around funding . . . from the Office of Economic Opportunity, the Ford Foundation, from any public or private agency that will listen to them.

Sherman, 24, a tall Negro and former construction worker who shares with many of his nearly 60 work crew members an unpleasant former relationship with the law, says:

"I'd sure hate to see the bottom fall out of this thing just as it's starting to go. We got a lot of these guys starting to take on responsibility now. The changes in attitude have been definite. A while back the Negro didn't come into San Fernando and the Mexican didn't come to Pacoima. There's some bickering, but it's not like it used to be."

Street Scene crew members are about evenly divided between Negro and Mexican-American. Work crews are mixed so that their members learn to work together.

Young men 18 to 25 years old get from $1.75 to $2 an hour for such jobs as yard cleanup for needy persons who can't do the work themselves, cockroach extermination in impoverished neighborhoods, etc.

One crew is building a bathroom for a Pacoima Head Start site to bring it up to code requirements. Staff members are organizing block clubs and youth clubs in an effort to motivate the entire community to help solve its difficulties.

A crew of eight young women go from home to home, finding out what problems exist and trying to put helpless persons in touch with the proper agencies.

"We've got to be sure we're helping somebody who really needs it," says Dillard. "We got a call from a lady in Encino the other day. She wanted us to come cut her lawn."

At North Valley Youth Center, 753 Arroyo Ave., an old industrial building taken over and being enlarged with volunteer help to replace the former center burned by arsonists on Memorial Day, County Human Relations Commission consultant John C. Hamby says:

"This is really a positive thing. Some of the Mexican-Americans have been a little reluctant, because they've been so isolated, but they're beginning to see that if they work together they'll get ahead.

"Amazingly, these kids have a lot of ideas. They've just never been in situations before to bring them out. They're very creative . . ."

REMOVE TAX ON REIMBURSED MOVING EXPENSES

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman

from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MONAGAN. Mr. Speaker, I have introduced legislation (H.R. 17012) to remove the taxpayer's inequitable burden of reporting certain reimbursed moving expenses as income. Under the Internal Revenue Code of 1954 an employee must report as income the entire amount he received from his employer as reimbursement for indirect moving expenses. While the code provides that direct moving expenses are not reportable as income, certain costs such as house-hunting trips, expenses in the sale and purchase of a home, and costs incurred for hotels and motels while awaiting occupancy in the new residence are taxed as income. I am convinced that these "indirect" costs are as much a business expense, when related to a transfer in the principal place of work, as "direct" expenses.

My bill sets forth guidelines, limitations, and qualifications, and is designed to offer a legitimate tax deduction. Further its construction prevents the development of undesirable tax loopholes for reimbursement which are truly income. It is my intention in filing this bill to remove the existing inequities, and indeed I am certain that this will be concurred in by the Congress when this legislation comes before the Members.

LET US MEET OUR RESPONSIBILITIES—LET US MEET THE NEED FOR TAX REFORM

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHMIDHAUSER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. SCHMIDHAUSER. Mr. Speaker, as a part of my continuing analysis of our Federal tax system, I would like to recommend to my colleagues an excellent article on tax reform by Joseph A. Pechman, of the Brookings Institution, which appeared in the April 10, 1966, issue of the Washington Post. I believe Mr. Pechman has pointed out clearly the need for a thorough reform of our Federal tax system.

I am firmly convinced that Congress has a sober responsibility to take prompt action to return integrity and equality to our tax system of the many proposals for reform which I, and others, have made. I believe a most appropriate place to start is with the oil depletion allowance. As Mr. Pechman correctly states, this "giveway" to the large oil companies means that percentage depletion can—and does—exceed the original amount invested by a substantial amount. The time for ending this loophole and the many others which are totally inconsistent with our democratic principles is long overdue.

The article follows:

TAX SYSTEM GOOD, BUT NEEDS KEY REFORMS

(By Joseph A. Pechman)

(NOTE.—Joseph A. Pechman, one of the country's noted tax experts, is Director of Economic Studies for the Brookings Institution. Pechman's views as expressed in this article are his own, and are not necessarily presented as the views of Brookings. His book, "Federal Tax Policy," will be published later this year.)

The taxpayer's reluctance to part with his hard-earned money is perfectly understandable, but much of the grumbling heard around April 15 is not only intemperate but wrong. The fact is that the United States has one of the best tax systems in the world—if not the best.

It rates high by all main criteria: productivity, fairness, consistency with economic goals, and ease of compliance and administration.

No one can question the system's productivity. Last year, federal, state, and local government revenues amounted to about $185 billion.

Yet our taxes are by no means the world's highest. Taxes range between 30 and 35 per cent of gross national product in Germany, France, Italy, the Netherlands, Sweden, and the United Kingdom as compared with about 27 per cent for the United States.

Judgments about fairness are highly personal, and there is disagreement on this point. Our system places great weight on individual and corporation income taxes which are progressive, that is, they place the largest burden on those who have the greatest ability to pay. The major criticism of the system is that it provides special advantages that reduce taxes for some people and businesses and not for others in the same economic circumstances.

The economic potency of the tax system can hardly be disputed. In 1964, the Federal Government reduced taxes by 11 billion ($15 billion at present income levels) in a successful attempt to stimuate private spending. If needed, taxes will be raised this year or next to reduce spending and help avoid inflation.

Such heavy reliance on income taxes would be impossible without good compliance and administration. Few countries can equal our record in this respect. Out of every Federal individual income tax return filed, 3 out of every 4 have no errors. Only about 6 per cent of the income that should be reported does not show up on tax returns, and the Internal Revenue Service picks up quite a bit of this unreported income. The entire Federal tax machinery costs less than 1 per cent of the amount collected. State and local tax administration is not as good as Federal, but it is improving.

If the tax system scores so well, why does it generate so much controversy, dissatisfaction, and emotion? Part of the grumbling reflects the natural distaste for paying taxes, but there are also real and deep-seated differences of opinion about tax policy.

The issues involve difficult, technical questions of law, accounting, and economics, with important implications for the welfare of every citizen and for the vitality of the economy.

The Nation's biggest and best source of revenue is the individual income tax. The close association between a man's taxpaying ability and his income is commonly accepted.

The main trouble with the present tax is that large amounts of income have been allowed to escape taxation by means of various special provisions and deductions.

The accompanying chart shows the practical effect of erosion. If the total income reported by taxpayers were subject to the statutory rates, taxes would begin at 14 per cent on the first dollar of income and rise to 70 per cent in the top brackets. But nobody pays these rates. After allowing for all special provisions, the maximum average rate in any income class is less than 30 per cent.

Exemptions are most important in the lowest classes, deductions at the top. The capital gains provisions are also most important at the top, while income splitting gives the largest benefits to persons with incomes between $20,000 and $100,000.

An ideal personal income tax is easy to define, but unlikely to be enacted. Every modification would touch a tender nerve. Some who would scream the loudest are not the "fatcats" caricatured in the cartoons; many of the most expensive eroding features of the law favor the lower and middle-income classes. Nevertheless, reforms that broadened the base of taxation would make it possible to reduce tax rates for all and improve the fairness of the tax.

The most irrational and expensive provisions are the deductions for contributions, interest, medical expenses, taxes, and other personal expenditures that cut out billions of dollars from the tax base.

Deductions for state income taxes protect taxpayers against excessive rates. There is also some justification for continuing the deduction for sales and income taxes as a device to encourage further state use of these taxes to raise the revenues they desperately need. But there is no excuse for deducting gasoline taxes, which are levied to pay for benefits received by highway users.

The present method of computing the deduction for charitable contributions is highly questionable. Limiting the deduction to contributions in excess of, say 2 or 3 per cent of income would encourage larger than average gifts to charity and save close to $2 billion of revenue each year.

Revision of capital gains treatment is the most urgent business on the tax reform agenda. Profits from sale of assets held more than 6 months are taxed at only half the regular rates up to a maximum of 25 per cent, but even this tax may be avoided indefinitely if the assets are transferred from one generation to another through bequests. In the case of gifts, capital gains are taxed only if the assets are later sold by the recipient. As a result, billions of dollars of capital gains are subject to low rates or are never taxed.

Capital gains receive favored treatment for two reasons: First, full taxation of a large realized gain accumulated over many years would be unfair unless the impact of the graduated rates were moderated; second, too high a rate on capital gains might lock most security holders into their present portfolios. The first of these problems could be solved by averaging capital gains over the period they were held. The "lock-in" effect would be moderated by such an averaging provision and also by taxing capital gains when assets are transferred, either by gift or at death. Both changes would reduce the advantages of holding onto assets whose values had risen.

The tax exemption of interest on state and local government securities is unfair because it benefits only the wealthy, and inefficient

because the interest saved by the states and local governments is only about 60 percent of the $1 billion annual revenue loss to the Federal Government. If state-local bond interest were taxed, the revenue could be used directly to help the states and local governments.

The Federal income tax has been particularly solicitous of the aged. Taxpayers over 65 years of age have an additional exemption of $600, pay no tax on their social security or railroad retirement pensions, and receive a tax credit on other retirement income (if their earnings are below $1524).

There is every reason to help the aged through public programs, but the tax system is a bad way to do this. It would be better to eliminate these deductions and use the revenue to increase social security benefits for all aged persons.

Some needed income tax reforms would reduce Federal revenues. The most important are an increase in exemptions and the introduction of a negative income tax.

The present $600 per capita exemption has not been altered since 1948, when consumer prices were 25 percent lower. In 1964, a minimum standard deduction was added, providing $300 for the taxpayer and $100 for each additional exemption up to a maximum of $1000, but the starting levels of taxation are still below the official poverty levels.

Policy makers hesitate to raise exemptions because this would be expensive. An increase from $600 to $700 per capita would cost $3 billion per year; an increase to $800 would cost $5.5 billion. An alternative might be to double the minimum standard deduction, which would help those in greatest need at an annual cost of less than $2 billion.

The negative income tax is a new subject of public discussion, although it has been discussed by economists and social welfare experts for many years. An individual would add up his income and subtract his exemptions and deductions: if the result were negative, he would be entitled to a payment from the Government.

Because the various Government and private welfare programs do not reach all the poor, the negative income tax would be an excellent method of supplementing them. Its major advantage is that it would not discourage the poor from seeking income-earning activities as much as present welfare programs often do.

Many people still regard the negative income tax as a radical innovation, and a number of difficult problems need to be resolved before it becomes feasible. Not the least of these is its relationship with the positive income tax, and with the present welfare programs. However, the concept is worth serious attention and is being given close study in Washington.

The corporation income tax produces a large amount of revenue (about $30 billion this year) that would be hard to replace with any other tax. Without it, a substantial part of the individual income would be permanently lost from the tax base through retention of earnings by corporations.

Opponents contend that it reduces corporate saving, encourages debt at the expense of equity financing, and discourages the use of corporate capital. However, the share of the national income originating in the corporate sector has risen from 58 per cent in 1929 to almost 70 percent in recent years.

The so-called double taxation of dividends is a baffling issue. In theory, income earned by corporations is taxed under the corporation income tax and again under the individual income tax when it is paid out in dividends. This double taxation exists only if the corporation income tax is not shifted in the form of higher prices.

Even if it is agreed that double taxation exists, there is no easy solution. Currently, individuals are not taxed on the first $100 of dividend income, but this is a makeshift arrangement which satisfies no one. The best solution would be to lower corporation income tax rates when circumstances permit. This would automatically reduce the double taxation of dividends equally for all stockholders regardless of their other incomes, and would not complicate the tax law.

The toughest issue involves percentage depletion for oil, gas, and other minerals industries. These allowances are similar in many respects to depreciation. The difference is that the amounts written off as depreciation are limited to the cost of the asset, but percentage depletion can—and does—exceed the amount invested by substantial amounts. In addition, an immediate write-off is permitted for certain capital costs incurred in exploration and development, providing a double deduction for capital invested in these industries. Most economists who have studied the matter have concluded that present allowances are too generous.

Consumption taxes are not popular in the United States. General sales taxes are used by state and local governments, but even when they are taken into account, consumption taxes are less important here than anywhere else in the world.

The Federal Government has relied exclusively on selective excises for consumption tax revenues. These taxes are among the first to be raised in a national emergency, and they linger on and do considerable damage to the economy for years afterward. Excises are bad taxes because they discriminate arbitrarily against consumption of the taxed commodities. The only defensible excises are sumptuary taxes, which help offset the social costs of certain articles of consumption, like liquor and tobacco, and user charges, which compensate for special identifiable benefits received by individuals and firms from public services.

If consumption taxes are needed for revenue purposes, a general tax such as the retail sales tax would make more sense than selective excises. But consumption taxes are most burdensome for low-income taxpayers and have less automatic flexibility than the income tax.

A new method of taxing consumption that has attracted interest of late is the value added tax, which is imposed at a flat rate on the "value added" by each firm (gross receipts less the cost of materials purchased from other firms). It is similar to a retail sales tax, except that it is collected piecemeal as the commodity makes its way through the channels of production and distribution.

Basically the issue is the degree of progression in the tax system. Proponents of a Federal sales tax or of a value added tax wish to reduce progression. My own view is that the general consumption tax should not be used by the Federal Government unless the potential of the income taxes has been exhausted, which is unlikely if the base is broadened and the rates are further reduced.

Payroll taxes were introduced during the 1930s to pave the way for the social security system. The tax for old age, survivors, disability, and hospital insurance now amounts to 4.2 per cent each on employers and employes on earnings up to $6,000, and will reach 5.65 per cent by 1987. This type of tax was used to emphasize the element of "contribution" by the employe.

Social security is a tremendous achievement, but the use of payroll taxes to finance it is increasingly being questioned. These taxes, which now exceed $20 billion a year, are regressive and discourage the use of labor.

The simplest method of correcting some of the inequity would be to raise the limit on earnings subject to tax and eventually to remove it entirely. The tax would then be a flat percentage of earnings, which would still be regressive with respect to total income but much less than under present law. A second method would be to blanket employee contributions into the individual income tax, either directly or through a credit for payroll tax against income. A third method would be to halt further increases in the payroll taxes and pay for future benefit increases from the general fund.

Unemployment insurance is financed by a 3.1 per cent tax on payrolls of employers of 4 or more persons up to $3000 per employee. State trust funds are set up from which benefits are paid, but these funds are inadequate in some states during recessions. Provision should be made for Federal assistance to extend benefits automatically when unemployment becomes serious. This can be accomplished through increases in the Federal tax or through contributions from the general fund. Preferably, the entire system should be financed out of general taxes because individual firms have little control over employment.

The Federal Government levies an estate tax with rates that go up to 77 per cent and a gift tax which is set at three quarters of the estate tax rates. The exemptions are $60,000 under the estate tax and $30,000 for all gifts during an individual's lifetime plus $3000 per donee per year.

In theory, estate and gift taxes are excellent taxes. In practice, their yield is disappointing—only a little over 2 per cent of Federal cash receipts—and they have little effect on the distribution of wealth. They can be avoided by distributing gifts at the lower gift tax rates, by setting up trusts, and by other methods.

The estate and gift tax rates are high enough: a complete overhaul is needed to eliminate the avenues of escape and to tax equal amounts of transfers equally.

The State and local segment of the national tax structure is its most dynamic element. Before the Vietnam buildup, State and local expenditures were 60 per cent of Federal cash expenditures and more than twice as much as nondefense expenditures. Whereas the Federal Government reduced tax rates 15 per cent between 1961 and 1965, state and local tax rates increased sharply and are continuing to go up. State and local governments will continue to be hard-pressed as their financial needs continue to grow.

Most of the additional revenue will be raised by the states and local governments themselves. Long-standing traditions against moderate income and sales taxes are breaking down, and 26 states now have both. The recent adoption in three states of a credit against the income tax for sales tax paid suggests that regressivity of the sales tax can be moderated effectively. Deductibility from the Federal income tax should make income taxation at the state level more acceptable. However, states that permit the deduction of Federal taxes from their own state income tax bases lose much more revenue than their taxpayers save.

The crisis in city finances is dramatically illustrated by the plight of New York City. Cities will have to raise their own taxes, but they will also need all the help they can get from the state and Federal governments. In many parts of the country, administration of the property tax—the mainstay of local tax systems—remains weak; but experience has shown that state governments, if they take a strong hand, can force improvements in the quality of local assessment practices and procedures.

Whatever their own efforts, states and local governments will continue to rely on Federal assistance which already provides 15 per cent of their revenues. Most of this aid comes from conditional grants for welfare, housing, urban renewal, pollution control, and other programs in which the Federal Government has a vital interest. But additional aid will be required to close the gap between their growing needs and their fiscal capacity.

General purpose grants to the states have been suggested as a means of providing additional Federal help. Detail of the proposals differ, but in general they would return a fixed percentage of the Federal individual income tax base to the states, with the understanding that these growing revenues would be shared with the local governments. The funds would be disbursed on a per capita basis, with a small percentage reserved for special distribution to the poorest states.

Such general purpose grants are strongly opposed by those who wish to control the allocation of Federal funds in great detail because they have little faith in the willingness or ability of state governments to use the funds wisely. However, in a tax system which restricts the states and local governments to the least desirable and responsive tax sources, a general-purpose Federal grant system makes good sense as a supplement to conditional grants.

I reserve for last a discussion of the relationship between tax reform and the new economics. The basic proposition of the new economics is that fiscal policy—which includes both tax and expenditure policy—must be used vigorously and promptly to achieve the basic goals of full employment, a high rate of economic growth, and stable prices.

The most serious obstacle to the use of fiscal policy in this way has been the legislative process. Passage of major tax bills may take the better part of a year or longer. Many tax experts and nonpartisan citizens groups have recommended that the President be authorized to make temporary changes in tax rates. Presidents Kennedy and Johnson made such a proposal (limited to tax cuts), but Congress has resisted any such infringement on its constitutional taxing powers. It is clear, in the current situation, that if the power had been given, the President might well have used it already to fight inflation.

The United States tax system is a good one, as tax systems go, but substantial reforms are needed. Such reforms would make the system more equitable and also permit a significant reduction in tax rates for all taxpayers. For example, individual income tax rates could be lowered by at least a third if a broad definition of taxable income were adopted. Such reforms would pave the way for more vigorous and effective use of tax policy to maintain full employment, price stability, and dynamic economic growth.

URGENT NEED FOR TAX REFORM

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHMIDHAUSER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. SCHMIDHAUSER. Mr. Speaker, on numerous occasions in the past year I have presented factual evidence supporting my proposal to begin reform of our Federal tax system by lowering the oil depletion allowance. Today, I want to call to the attention of the Members of the House an excellent article on this subject by George Spencer, editor of the Gasoline Letter which is a weekly publication for small businessmen in petroleum marketing. The article points out that in 1965, 20 major U.S. oil firms had an average U.S. tax rate of 6.3 percent and several paid nothing at all in spite of expanding profits. This giant giveaway to wealthy corporations is contrary to the basic principle of equality in our democratic system.

It is contrary to our democratic system, when the hard working farmers, workers, and small businessmen each year pay in taxes a higher percentage of their money than do vast corporate organizations.

I want to commend Mr. Spencer for standing up to these powerful corporate interest groups and I urge my colleagues to join me in eliminating privilege from our tax system.

This evidence once again illustrates the need for prompt passage of my bill, H.R. 12993, to lower the oil depletion allowance. I might add, that this is not the only area where tax reform is needed, but it is the most urgent.

The above-mentioned article follows:

Twenty majors had 6.3 percent U.S. tax rate in 1965 SEC figures show—some paid nothing at all despite big net incomes.

U.S. income taxes of 20 largest oil firms last year rose to $360 million or 6.3 percent of their income before taxes.

In 1964 and 1962 the rate was 4 percent and 5 percent in 1963.

The federal corporate tax rate is 48 percent.

Official figures reveal that the 20 largest firms together paid federal income taxes totaling less than 23 percent of the largest company's income before taxes.

Several big companies were able to skip paying federal taxes completely despite big profits.

In that happy group were Union (Pure), Sinclair, possibly Marathon and Atlantic (Richfield).

The tax figures show dramatically the value of the 1965 mergers of four big refiners.

A Union Oil executive told security analysts that the Union-Pure merger benefitted from the synergistic effect, two plus two equalled four.

For three years before the merger Union had paid 13, 18, and 15 percent of its income as federal income tax.

Pure Oil had $2.5 million, $1.5 million and $629,000 tax credits in the same years.

The year before the merger Union made $87.5 million and Pure $32.2 million while last year the combined income before taxes was only $119 million or about the same as the two made a year earlier.

But after taxes in 1964 the two had a net profit of $98.6 million while last year the figure jumped to $123 million with Union racking up a juicy $3.8 million tax credit instead of having to pay Uncle Sam taxes on its $119,214,000 profit.

Considering the $3.8 million bonus, Union's after taxes profits gained to 103 percent of the income before taxes. This is not in any way to slight the job done by Sunray DX.

Although Sunray's federal tax dropped from a $7.1 million bonus credit in 1964 to a whopping U.S. tax bill of $353,000 or 0.8% of its profit, Sunray still ended up with a $38.6 million profit after taxes or 99% retained after taxes.

ATLANTIC-RICHFIELD CITED

But all other companies have to stand back in awe of Atlantic-Richfield, the tax masters.

For at least three years before the merger, Atlantic had paid no federal income tax despite profit before taxes of $61 million, $56 million and $61 million.

Richfield had paid $6 million (16.6%), $1.3 million and gained a $629,000 credit in 1964.

But here's where the synergistic effect threw the clover over the wedded bliss:

PROFITS OF MARRIAGE

The year before the knot was tied, the two raked in a combined income before taxes of $87 million.

Together they took in $105 million in 1965.

But the after tax comparison is more enlightening.

The 1964 after tax total was $68.5 million. The 1965 profits after taxes had mushroomed to $90.1 million.

BIG TABLE NEXT WEEK

More comparisons like this will be available next week when TGL publishes the combined taxes and profit figures for 1962–1965 in one table.

In case you're wondering about those oil industry figures that show the refiners pay almost as much taxes as other manufacturing companies, the refiners combine foreign and U.S. taxes and simply call the figure "provision for income taxes."

HOW SECRET IS KEPT

This deception taken to its extreme gives Standard Oil (N.J.), the world's largest oil company, the appearance of paying $423 million in 1962 when in fact Uncle Sam only got $8 million and the rest went to other nations and a few states.

But when the companies make detailed reports to the Securities and Exchange Commission they have to break down their U.S. and foreign taxes.

Only Marathon Oil has been able to avoid this breakdown, for reasons TGL was not able to establish.

MARATHON PLAYS COY

We know that Marathon, like other Lybian operators, was hit with a big tax there last year (note the effect on Conoco's taxes).

Thus we list all of Marathon's taxes as foreign since it doesn't reveal its U.S. tax figures.

The last year in which records are available (1962) show Marathon won a $2.2 million bonus credit (no tax and the credit applicable back three years or ahead five) on a $36 million profit.

We can only assume Marathon's shyness is based on very low or no income taxes to the federal government.

MEANING FOR MARKETERS?

The significance of these figures—in marketing at least—is that some marketers claim

the low taxes on big international refiners provide wads of tax-free cash for overbuilding service stations and on occasion below "cost" sales.

Following are the figures for 1965, published—as far as we know—for the first time:

20 largest oil companies Federal tax, 1962–65

Rank in size	Year	Net income	Federal tax	Percent	Foreign, some States' tax	Percent	Income after tax	Percent
Standard (New Jersey)	1962	$1,271,903,000	$8,000,000	0.6	$423,000,000	33	$840,903,000	66
	1963	1,584,469,000	69,000,000	4.3	496,000,000	31	1,019,469,000	64
	1964	1,628,555,000	29,000,000	1.7	549,000,000	33	1,050,555,000	64
	1965	1,679,675,000	82,000,000	4.9	562,000,000	33	1,035,675,000	62
Texaco	1962	546,371,000	13,000,000	2.3	51,700,000	9	481,671,000	88
	1963	615,768,000	10,250,000	1.6	58,850,000	12	545,668,000	88
	1964	660,761,000	5,500,000	.8	77,900,000	11	577,361,000	87
	1965	726,198,000	10,000,000	1.3	79,500,000	11	636,698,000	88
Gulf	1962	488,351,000	19,389,000	3.9	128,871,000	26	340,091,000	70
	1963	540,065,000	30,870,000	5.7	137,842,000	25	371,353,000	68
	1964	607,343,000	52,443,00	8.6	159,781,000	26	395,118,000	65
	1965	655,727,000	53,559,000	8.1	174,935,000	26	427,233,000	65
Socony Mobil	1962	379,339,000	8,300,000	2.1	128,700,000	33	242,339,000	63
	1963	437,352,000	23,000,000	5.2	142,500,000	32	271,852,000	62
	1964	464,660,000	27,700,000	5.9	142,800,000	30	294,160,000	63
	1965	508,016,000	33,900,000	6.6	154,000,000	30	320,116,000	63
Standard (California)	1962	348,181,000	5,800,000	1.6	28,600,000	8	313,781,000	90
	1963	356,568,000	2,900,000	.8	31,600,000	8	322,068,000	90
	1964	393,188,000	8,300,000	2.1	39,600,000	10	345,288,000	87
	1965	455,425,000	9,000,000	1.9	55,200,000	12	391,225,000	86
Shell	1962	173,555,000	7,200,000	4.1	8,680,000	5	157,675,000	91
	1963	211,575,000	19,100,000	9.0	12,623,000	5	179,852,000	85
	1964	213,575,000	2,800,000	1.3	12,585,000	5	198,190,000	92
	1965	234,031,000	26,600,000	11.3	13,876,000	6	193,555,000	83
Standard (Indiana)	1962	168,843,000	3,105,000	1.8	3,381,000	2	162,420,000	96
	1963	208,022,000	22,182,000	10.6	2,748,000	1	183,092,000	88
	1964	204,817,000	8,486,000	4.1	1,480,000	.7	194,851,000	95
	1965	263,098,000	39,578,000	15.0	4,248,000	2	219,272,000	83
Phillips	1962	158,320,000	48,000,000	30.3	3,365,000	2	106,955,000	67
	1963	160,954,000	52,000,000	26.2	3,491,000	2	105,463,000	65
	1964	152,197,000	32,229,000	22.2	4,950,000	3	115,018,000	74
	1965	165,876,000	31,745,000	19.1	6,415,000	4	127,716,000	77
Cities Service	1962	84,143,000	20,773,000	24.7	3,185,000	3	60,185,000	71
	1963	101,976,000	20,188,000	21.4	4,283,000	4	77,505,000	74
	1964	113,405,000	27,925,000	24.7	967,000	.8	84,513,000	74
	1965	137,118,000	[1] 33,000,000	24.0	976,000	.7	104,118,000	76
Continental	1962	73,477,000	1,065,000	1.4	3,335,000	5	69,077,000	94
	1963	99,665,000	9,143,000	9.2	3,157,000	3	87,365,000	88
	1964	112,009,000	8,725,000	7.7	3,175,000	2	100,109,000	89
	1965	142,051,000	6,865,000	4.8	39,035,000	27	96,151,000	68
Sun	1962	66,395,000	[2] 200,000	0	13,400,000	20	53,195,000	80
	1963	79,976,000	1,300,000	1.9	17,460,000	22	61,216,000	77
	1964	88,577,000	2,400,000	2.7	17,670,000	20	68,507,000	77
	1965	113,405,000	10,300,000	9.0	18,220,000	16	84,835,000	75
Union	1962	59,421,000	8,000,000	13.5	5,500,000	9	45,921,000	77
	1963	73,028,000	13,100,000	17.7	6,000,000	8	53,928,000	74
	1964	87,564,000	13,300,000	15.2	7,200,000	8	67,064,000	77
	1965	119,214,000	[2] 3,800,000	0	0	0	123,014,000	103
Standard (Ohio)	1962	37,235,000	9,275,000	25.0	3,738,000	10	24,222,000	65
	1963	54,008,000	15,225,000	28.1	4,896,000	9	33,887,000	62
	1964	70,252,000	21,150,000	30.2	5,334,000	7	43,768,000	62
	1965	82,848,000	15,225,000	18.3	4,896,000	6	49,711,000	60
Sinclair	1962	57,936,000	0	0	10,586,000	18	47,350,000	83
	1963	71,036,000	1,200,000	0	9,532,000	13	62,704,000	88
	1964	66,444,000	[2] 3,119,000	0	10,531,000	15	58,736,000	88
	1965	67,173,000	[3] 0	0	15,299,000	23	61,374,000	91
Marathon	1962	36,064,000	[2] 2,200,000	0	205,000	.5	37,889,000	105
	1963	50,058,000	([4])	0	933,000	2	49,125,000	98
	1964	63,220,000	([4])	0	2,844,000	4	60,376,000	95
	1965	97,416,000	([4])	0	37,345,000	38	60,071,000	62
Atlantic	1962	61,110,000	0	0	14,844,000	24	46,266,000	75
	1963	56,747,000	0	0	12,734,000	22	44,013,000	78
	1964	61,081,000	0	0	14,005,000	22	47,076,000	77
	1965	105,299,000	0	0	15,188,000	14	90,111,000	86
Tidewater	1962	35,191,000	228,000	.6	2,387,000	6	32,576,000	93
	1963	42,795,000	[2] 63,000	0	3,384,000	8	39,474,000	92
	1964	40,508,000	377,000	13.7	4,426,000	11	35,705,000	88
	1965	60,397,000	58,000	.9	3,783,000	6	56,556,000	94
Ashland	1962	24,324,000	6,201,000	25.8	2,799,000	11	15,324,000	63
	1963	28,769,000	10,556,000	37.7	104,000	.3	18,109,000	64
	1964	36,385,000	9,672,000	26.8	2,977,000	8	23,735,000	65
	1965	50,594,000	15,500,000	30.6	2,440,000	5	31,594,000	63
Sunray	1962	41,203,000	3,850,000	9.3	1,152,000	3	36,201,000	88
	1963	49,727,000	6,533,000	13.3	1,328,000	3	41,886,000	85
	1964	29,357,000	[2] 7,115,000	0	1,290,000	4	35,182,000	120
	1965	43,367,000	353,000	.8	1,572,000	4	38,592,000	99
Pure	1962	27,680,000	[2] 2,546,000	0	1,276,000	4	28,950,000	107
	1963	28,582,000	[2] 1,212,000	0	27,000	.01	29,767,000	106
	1964	32,282,000	[2] 600,000	0	164,000	.5	31,518,000	98
	1965							
Skelly	1962	22,674,000	1,260,000	5.7	250,000	1	21,164,000	96
	1963	27,479,000	3,025,000	7.7	275,000	4	24,179,000	89
	1964	26,601,000	785,000	1.2	275,000	2	25,551,000	98
	1965	39,995,000	5,625,000	14.0	375,000	.9	33,995,000	85
Richfield	1962	36,615,000	6,000,000	16.6	0	0	30,615,000	83
	1963	29,767,000	1,300,000	4.4	$773,000	3	27,894,000	94
	1964	26,255,000	[2] 629,000	0	5,429,000	21	21,455,000	82
	1965							
Total:								
1962		4,198,161,000	164,500,000	4.0	838,891,000	20	3,194,770,000	76
1963		4,908,386,000	246,660,000	5.0	950,540,000	19	3,649,849,000	74
1964		5,179,036,000	240,529,000	4.0	1,064,383,000	20	3,873,836,000	74
1965		5,746,923,000	360,008,000	6.3	1,189,303,000	20.6	4,196,911,000	73

[1] $7,000,000 investment credit.
[2] Credit.
[3] At least $9,500,000 credit.

[4] Marathon is the only large oil company that has been able to conceal its domestic income taxes in the Securities and Exchange Commission files. We phoned Girard Jetton, Marathon's tax chief and asked the U.S. figures, but he said it's a secret. Since the firm probably doesn't want to keep secret the smallness of its foreign taxes, it's assumed the U.S. tax is small and all of Marathon's income taxes are listed as foreign.

TRAFFIC AND HIGHWAY SAFETY LEGISLATION

The SPEAKER pro tempore. Under previous order of the House, the chair recognizes the gentleman from Iowa [Mr. CULVER].

Mr. CULVER. Mr. Speaker, the House of Representatives will consider legislation this week which has been designed to help bring a halt to the most shameful waste of human and economic resources in our Nation.

The traffic and highway safety measures on the calendar are a result of proposals introduced by a number of Members of Congress from every area of the country, without partisan consideration, and they represent months of concentrated effort by individual members and the respective committees.

The widespread support in Congress for a coordinated Federal-State program aimed at the rapid increase in automobile deaths on our highways is evidence of the growing concern of the American people about this critical problem.

More than 70,000 men, women, and children, including almost 1,300 in my own State of Iowa, have suffered violent death in traffic accidents since the 89th Congress convened on January 9, 1965, and we cannot neglect our responsibility to take action now to reverse these tragic trends.

These accidents are costing the American people well over $8 billion a year—more than the total expenditures of the Federal Government last year for all health, welfare, and manpower programs combined, including the economic opportunity program.

And those figures do not include the incalculable losses in terms of the value of human lives. Traffic accidents are the most common causes of death in the age group from 5 to 30, and it is this age group that possesses the greatest potential for contributing to our economy and our society.

We are spending millions on public health programs—research, treatment, prevention, and hospital construction—as well we should. Yet the 1,700,000 individuals injured in traffic accidents since 1964 equal the number of total beds in all U.S. hospitals for the same year—a tremendous public health problem.

We are increasingly concerned about air safety—as well we should be. The 727 has occupied national attention over the past several years, yet if a 727 fully loaded, crashed every day, the number killed in a year would be 20,000 less than the traffic toll for 1965. We spend $100,000 per victim to investigate air crashes. We spend 5 cents per victim to investigate auto crashes.

We are concerned about the safety of our servicemen in conflict and spend billions to protect and support them—as we must. Yet in a period from January 1961 to January 1965, while approximately 2,000 military men were killed in combat in Vietnam, more than 6,900 servicemen were killed in motor vehicle accidents on the public roads.

These shocking statistics are sad evidence of the fact that we can no longer hesitate to focus national attention on automobile and traffic safety and to direct the best national leadership and coordination ability to stemming the toll of destruction and tragedy on our highways.

It is for this reason that I introduced legislation at the beginning of this session of Congress to facilitate a greater coordination of information and activities related to traffic safety, to insure the widespread application of existing knowledge in the area, and to promote a more uniform acceptance of proven safety standards throughout the Nation.

The only way we can effectively meet this critical problem is through the combined efforts of Federal, State, and local governments, private industry, and the individual behind the wheel, and our action here this week can mark a major step forward in this mutual commitment.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. KASTENMEIER (at the request of Mr. BOGGS), for the remainder of the week, on account of illness.

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. CONTE (at the request of Mr. DON H. CLAUSEN), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. CULVER (at the request of Mr. DE LA GARZA), for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. FUQUA (at the request of Mr. DE LA GARZA), for 30 minutes, on August 17, 1966; to revise and extend his remarks and to include extraneous matter.

Mr. HANNA (at the request of Mr. DE LA GARZA), for 60 minutes, on August 24, 1966; to revise and extend his remarks and to 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:

(The following Member (at the request of Mr. DON H. CLAUSEN) and to include extraneous matter:)

Mr. HOSMER.

(The following Members (at the request of Mr. DE LA GARZA) and to include extraneous matter:)

Mr. MINISH.

Mr. SCHMIDHAUSER.

Mr. FRASER.

Mr. DULSKI.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3484. An act to amend the act of June 3, 1966 (Public Law 89-441, 80 Stat. 192), relating to the Great Salt Lake relicted lands.

ADJOURNMENT

Mr. DE LA GARZA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 45 minutes p.m.) the House adjourned until tomorrow, Wednesday, August 17, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2646. A letter from the Acting Comptroller General of the United States, transmitting a report of review of manpower utilized to administer the military assistance program for Japan, Department of Defense; to the Committee on Government Operations.

2647. A letter from the Acting Comptroller General of the United States, transmitting a report of examination of financial statements of Federal home loan banks supervised by the Federal Home Loan Bank Board for the year ended December 31, 1965 (H. Doc. No. 467); to the Committee on Government Operations and ordered to be printed.

2648. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Agriculture.

2649. A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to authorize certain retired and other personnel of the U.S. Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries; to the Committee on Foreign Affairs.

2650. A letter from the Comptroller General of the United States, transmitting a report of possible savings by discontinuing the purchase of public liability insurance covering acquired property, Federal Housing Administration, Department of Housing and Urban Development; to the Committee on Government Operations.

2651. A letter from the Acting Comptroller General of the United States, transmitting a report of savings available by using more economical fuels for heating at certain field stations, Veterans' Administration; to the Committee on Government Operations.

2652. A letter from the Director, U.S. Information Agency, transmitting a report of claims paid by the Agency during fiscal year 1966, pursuant to the provisions of 28 U.S.C. 2673; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on Disposition of Executive Papers. House Report No. 1853. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 5392. A bill to terminate the Indian Claims Commission, and for other purposes; with amendment (Rept. No. 1854). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 7648. A bill to authorize long-term leases on the Papago Indian Reservation; with amendment (Rept. No.

1855). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 15951. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes; with amendment (Rept. No. 1856). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ARENDS:

H.R. 17081. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. CAHILL:

H.R. 17082. A bill to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act; to the Committee on Public Works.

By Mr. FASCELL:

H.R. 17083. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FRELINGHUYSEN:

H.R. 17084. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McCARTHY:

H.R. 17085. A bill to provide that Columbus Day shall be a legal holiday for officers and employees of the United States in each State in which such day is designated as a legal State holiday; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 17086. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 17087. A bill to amend the Internal Revenue Code of 1954: to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 17088. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 17089. A bill to amend title XIX of the Social Security Act to authorize assistance, under State plans for medical assistance, for certain persons who are not otherwise eligible therefor but who provide care or services essential to the well-being of needy individuals receiving assistance under such plans; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 17090. A bill to authorize the construction of a Federal office building in Mansfield, Ohio; to the Committee on Public Works.

By Mr. ULLMAN:

H.R. 17091. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 17092. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 17093. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 17094. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 17095. A bill to encourage the prevention of air and water pollution by allowing the cost of treatment works for the abatement of air and stream pollution to be amortized at an accelerated rate for income tax purposes; to the Committee on Ways and Means.

By Mr. HOLLAND:

H.R. 17096. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 17097. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 17098. A bill to amend the Public Health Service Act to establish the position of Chief Veterinary Officer of the Service and provide for the rank of Assistant Surgeon General for said position; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of Illinois:

H.R. 17099. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. PICKLE:

H.R. 17100. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 17101. A bill to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs, make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act, and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year, extend the duration of the programs authorized by the act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WRIGHT:

H.R. 17102. A bill to amend the Public Buildings Act of 1959, as amended, to authorize a Federal parking system, and for other purposes; to the Committee on Public Works.

By Mr. HARVEY of Michigan:

H. Con. Res. 980. Concurrent resolution expressing the sense of the Congress with respect to the recognition of certain civilians who serve in Vietnam and other combat areas; to the Committee on Banking and Currency.

By Mr. NIX:

H. Con. Res. 981. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

496. The SPEAKER presented a memorial of the Legislature of Guam, relative to funds for the Guam Economic Development Authority for the implementation of Guam's economic development, which was referred to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLLIER:

H.R. 17103. A bill for the relief of Wanda Glowacka and her son, Ryszard Piotrowiak; to the Committee on the Judiciary.

H.R. 17104. A bill for the relief of Dimitrios Trakas; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 17105. A bill for the relief of Biagio Colatosti; to the Committee on the Judiciary.

H.R. 17106. A bill for the relief of Natalino Colatosti; to the Committee on the Judiciary.

H.R. 17107. A bill for the relief of Giovanni Tamburello; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 17108. A bill for the relief of Martina Zubiri Garcia; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

"No Progress" Report on the 200-Billion-Electron-Volt Accelerator

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 16, 1966

Mr. HOSMER. Mr. Speaker, although the Atomic Energy Commission denies it has reached its long delayed decision on siting the 200 Bev. accelerator, I am convinced that its five members already have come to an informal consensus regarding one of six sites they have been considering. I do not know which one it is and there is likely to be more lengthy delay before a formal decision is announced. This is despite the fact that no more than 2 to 3 weeks' last-minute checking is left to do and a decision could be accomplished by the first part of September.

Due to cost escalation from the delay in siting and during construction I estimate the giant circular, 1⅓ mile in circumference, atom smasher will cost 10 to 20 percent more than the $370 million estimate being used by the AEC. The cost could go as high as one-half billion dollars. Other pertinent statistics on this new scientific tool for probing deep into subatomic secrets are: Time to design and build, 6 to 8 years; operating staff, 2,000 people; annual operating cost,

$60 million; electric power requirement, 200,000 kilowatts; land requirement, 3,000 acres; cooling water requirement, 2,000 gallons per minute.

Instead of deciding on scientific ground the location for this installation the AEC made a public contest out of it which has gone on for almost 2 years. It has almost all the trappings of a contest except a radioactive waste disposal site as consolation prize. The Commission was deluged with 126 proposals for more than 200 sites in 46 different States. Scores of civic delegations stormed its doors. Some frankly admitted, "we don't know what a Bev. is, but we want one—it's new industry." Tons of brochures and other paper were consumed lobbying for this, the biggest free Federal bonanza since the Cherokee Strip was opened to homesteaders by the bang of a cannon.

The siting decision became so bogged down and confused that in September 1965, the AEC had to call in the National Academy of Science to help it out of the mess. In March of this year the Academy's Site Evaluation Committee finally had combed through all the proposals and submitted a list of six locations. These are: Ann Arbor, Mich.; Brookhaven National Laboratory at Upton, Long Island, N.Y.; alternate locations near Chicago at South Barrington or Weston, Ill.; Denver, Colo.; Madison, Wis.; and, Sierra Foothills, near Sacramento, Calif. South Barrington was both surprised and chagrined to find itself included. It had never asked to be. Its enraged citizens held mass meetings and demanded out. An embarrassed AEC crossed off the name.

The AEC has been sitting on the list ever since it got it. I think it has been ordered to do so by the White House. My speculation is that the Johnson administration wants to stall the project a year or more due to its budget difficulties. Another consideration is withholding announcement of the 200-Bev. sweepstakes winner until after the November election will insulate the administration from the political wrath of the losers at the polls. Should Weston, however, be the favored location, the word might be given Senator PAUL DOUGLAS, Democrat of Illinois, to publicize at a strategic time during his tough campaign for reelection.

In any event the new recently appointed AEC Commissioners Wilfred Johnson and Samuel Nabrit probably will be sent out for a leisurely look at all six sites as a cover for a few more weeks of stalling.

Actually, the AEC should face up to its duty and select either the California site or the Long Island site. These are at or near, respectively, Lawrence Radiation Laboratory and Brookhaven National Laboratory, the Nation's two existing high-energy physics centers which have won the United States so many Nobel Prizes. It is logical they should add to their existing atom smashers this one of greater power. If neither gets the 200 bev. it is a clear signal to them that their futures are cut off. Their teams of scientists will drift away and the Nation's preeminence and prestige in this field will start to dwindle.

Further, there are only about 40 people in the United States capable of designing and building a first-class 200 bev. About 20 of them are at Lawrence, another 10 at Brookhaven and the rest are scattered around the country. The big Russian atom smasher at Dubna was not built by top-caliber people. It took years to get it running right. The Soviets are not repeating that mistake with their new 70-bev. accelerator and we should not repeat it with our 200 bev. We should put it where the people are who can build it.

Address by Postmaster General Lawrence F. O'Brien

EXTENSION OF REMARKS

OF

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 16, 1966

Mr. DULSKI. Mr. Speaker, I was among those privileged to attend the 45th National Convention of the National Association of Letter Carriers held in Detroit, Mich.

Yesterday the Postmaster General of the United States addressed the convention. His frank talk, which bodes only good for the future of our postal service and the postal worker, deserves the attention of every Member of Congress.

Under leave to extend my remarks, I include Postmaster General O'Brien's address at this point in the RECORD:

ADDRESS BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN, AT THE NATIONAL CONVENTION OF NATIONAL ASSOCIATION OF LETTER CARRIERS, COBO HALL ARENA, DETROIT, MICH., AUGUST 15, 1966

I am happy to be with you today. This is the first of what I hope will be many appearances before your organization.

I view employee conventions as highly important to our postal service. This organization is right up at the front of the line when it comes to devotion to the job of getting our mail through, when it comes to efficient service, when it comes to a Post Office Department this Country can be proud of. And let me say right here, you have a great gentleman as your President. I knew of the reputation of Jerome Keating long before I came to the Post Office Department. His voice on Capitol Hill and in the White House is listened to with respect. He is looked upon as an unfailing source of advice and guidance—a voice that has always been lifted in behalf of the letter carriers and better mail service. And the same goes for Jim Rademacher, your effective and hard working Vice President.

The day that President Kennedy issued Executive Order 10988 providing the framework for real government employee-management cooperation marked the beginning of a new and progressive era in postal history. It signalled the start of a new era because that Executive Order greatly increased the stature and the importance of employee organizations. I discussed the Executive Order with President Kennedy when it was on his desk for signature and I know he realized how significant it was.

Before this Order, you were living more or less on the fringe of influence . . . but beginning that January day of 1962 your voice and your influence were channeled directly to the source of decisions.

I believe this new role has had an enormously beneficial effect on the postal service. Let me tell you why. The Post Office Department, unlike many private organizations, is not free in many areas to set its own policy, to chart its own course. The voice of Congress looms large in all our decisions and policies. And this is as it should be. We are a public service. And Congress has not only the right, but a duty, to see that the public is being served.

But there are times, there have been times, as you well know, when policies were devised that might well have been modified, given more information, given more data from influential, respected sources.

Certainly, this organization is such a source. I am one hundred per cent with you in your efforts to make this a better postal system.

I know from my dealings with this Association that you are characterized by a deep feeling of responsibility for improving postal service. In the context of this spirit of freely accepted responsibility I wish to discuss for a moment a misconception that is causing some unnecessary concern. That misconception arises from a statement of mine that appeared in the May issue of the *Postal Bulletin*. In that message I said that "shoddy service would not be tolerated."

If an election on postal service were to be held, I doubt if anyone would run on a platform of shoddy service. With the exception of a patron in Vermont who recently condemned the Post Office Department for delivering mail too rapidly—I don't think there is a man in the country who favors shoddy mail service.

Why then all the furor? Why the angry editorials? What's all the noise about?

The only conclusion that I can possibly draw is that some crafts, some individuals, some groups, some elements felt that I was directing criticism only at them. In fact, as a close look at my statement will clearly show, I was directing criticism at no one. What I asked for is the same thing that you have been working to achieve for many years: improved mail service. I said in my statement that "I intend to reduce to the absolute minimum the number of Americans who feel that their Government has let them down through shoddy postal service."

In achieving this goal, all of us, from the Postmaster General to the Regional Director to the Postmaster, the Supervisor, the Carrier or the Clerk, must pull together, must feel, as I know you do feel, a sense of dedication and devotion to our important area of communication.

There is a saying that a misconception is flying around the world, while the truth is still putting on its shoes. I hope, however, that my discussion with you today will help to translate shoes into seven league boots so that you know and understand the truth behind my statement: that it rested on no other purpose than illuminating the need for working together toward a common end.

Let me make it clear to you today that I reaffirm my statement on "shoddy service." There is no segment of the Postal Service that can absolve itself from the *responsibility* to do a better job for the American people. That includes me and it includes you.

And in that task of working together, I can assure you that I fully support progressive employee-management programs.

I am fully behind the merit promotion program. The only kind of postal politics that I favor is the politics of good service.

I want you to know that I believe in cooperation with employee organizations in the determination of postal policy. The opinions of this organization are important to me—and not merely after a decision has been reached. I want your advice during the decision-making process.

I want you to know that we will continue to work toward full salary comparability. You are doing a first-class job—and you shouldn't be paid as second class citizens.

And I think we should look at the positive, the very decidedly positive aspects of recent pay legislation. Certainly the opportunity of securing full retirement pay at age 55 with 30 years service is a landmark. Employee groups have been working toward that end for a long, long time. And now, with a major assist from the National Association of Letter Carriers, it is a reality. In addition, there is the provision for retirement at age 60 with 20 years service, another long time goal. These, and other fringe benefits, added to the 26.5 per cent average increase in carrier pay during the past five years, undoubtedly make this the most significant period in the history of Federal employee legislation. And I don't think any of us should overlook the fact that President John F. Kennedy and President Lyndon B. Johnson asked for more pay increases for Federal employees than any Presidents in history.

Of course, legislation is not the only instrument of postal progress. Most recently, we have achieved a new milestone on the road of postal employee progress: next year the exclusive unions and the Post Office Department will use mediation to settle bargaining impasses at the national level. President Keating made a hard-hitting and convincing case and I was pleased to make this decision which I fully believe will prove to be an historic one.

In addition, I have told President Keating of another significant impasse decision: notification to employees not later than the Wednesday preceding the week in which a work schedule is to be changed temporarily, rather than Thursday.

Concerning another impasse, wash-up time, I have emphasized that postmasters must take a reasonable attitude on this within the scope of available funds, so the employees who need this time are given every consideration.

In addition, I have urged Postmasters to extend local contracts for another year in the absence of any overwhelming service reason to the contrary. Decisions not to renew local contracts will be reviewed at appropriate levels in the Department.

I know that I have been speaking to you this afternoon as if your life was bounded by your jobs, as if your craft was the only significant element in your lives, as if your day began and ended with the Post Office Department.

But, of course, the Post Office Department is not your entire life. Your concern should, and I know does, reach far beyond matters of retirement pay, working hours, and working conditions, as important as these are. You are first, and foremost, citizens of this great country.

Hence, I would like to devote a few moments to discussing what I consider to be some of the basic issues facing us today as citizens.

As President Johnson pointed out in his Budget Message, "Over the past five years we have faced very different economic problems." And he added:

"We have learned how to achieve prosperity. Now we must sustain it, deal with its problems, and make the most of the opportunities it presents."

My friends, while we face the unprecedented challenge of operating an economy of abundance, rather than struggling with the age-old problem of an economy of scarcity, some 290,000 of our fellow Americans and billions of dollars of our resources are devoted to the difficult task of defending freedom in Vietnam.

While we regret that a single American boy must risk his life to defend our national interest in Vietnam, we must not be diverted for one moment from pressing tasks at home by the cost of the conflict abroad.

With our gross national product increasing at a rate that is almost unbelievable, with more Americans employed than ever before in history, the economic cost of Vietnam, though large, is but a fraction of our resources.

There are some who would multiply and magnify that fraction in order to divert our attention from what must be done here in America.

There are some who would place the burden of this war squarely on the backs of the poor.

There are some who would let Vietnam turn our eyes from the plight of decaying cities, polluted rivers, unhealthy air.

There are some who would let a generation of children grow up without the benefit of the kind of education that we have the resources to provide.

There are some, in short, who underrate the power and capacity of this nation.

Well, I can tell you, my friends, that President Johnson is not going to let international needs divert us from what must be done here at home. He has pledged himself to improving the quality of our American civilization and enriching and elevating our national life. And he intends to continue this monumental task until it is completed.

President Johnson will not abandon the fight for social and economic justice here at home while we strive to achieve it abroad.

America is big enough to do both. America will do both.

And, the President will continue ceaselessly to search for peace.

But he will not yield to violence, he will not sacrifice the freedom of others to satisfy the voice of a few confused critics, he will not abandon those who trust us because they are people about whom we know little in a country far away. And he will not violate his oath of office to defend and protect the Constitution. As the President said recently, ". . . . let us leave clearly undisputed, without any question or doubt, these thoughts with you. This Communist aggression will not succeed in South Vietnam any more than it succeeded anywhere else in the world. We shall not ever retreat. We shall not break our word to the people of South Viet-Nam."

Once the fighting stops in Vietnam, the President sees ahead an unprecedented time of peace and prosperity, both for this nation, and for the world.

But, unless we show the world that we are determined to see this struggle through in Vietnam, this day of world peace and international cooperation will not dawn for many long years. Unless we stand firm in Vietnam, there will be thousands of American lives lost in other places, places closer to our shores, places perhaps more vital to our interests and less responsive to our arms.

We cannot, we will not, abandon our fight for freedom and democracy in Vietnam.

As President Johnson strives to convince the aggressors that their aims of conquest must be abandoned, it is our duty as citizens to show him, to show our friends, and to convince our adversaries, that he does not bear his heavy burden alone.

I know you will perform your patriotic duty; I know you will continue to give the President your active support and your prayers as he strives to secure a just peace—not only for the people in Vietnam but for all people who treasure liberty and who yearn for democracy.

Congressman Schmidhauser Applauds Secretary Freeman's Defense of Farmers

EXTENSION OF REMARKS

OF

HON. JOHN R. SCHMIDHAUSER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 16, 1966

Mr. SCHMIDHAUSER. Mr. Speaker, Secretary of Agriculture Orville Freeman recently appeared before the New York City Council to defend the farmers against the charges that they are responsible for the increase in food prices. I believe Mr. Freeman has given an exceptional analysis for the recent rise in food prices in particular in his defense of our dedicated farmers from these false accusations. In fact, recent events have clearly shown what we in the Midwest have always known: that the farmer has not been enjoying a bonanza as suggested by some ill-informed people. I believe that the investigation of food prices currently being undertaken by Senator McGovern will reveal information which will prevent ill-advised people from blaming unjustly all dedicated and highly efficient farmers.

I have always pursued a policy, Mr. Speaker, of criticizing Federal officials vigorously and, constructively when I felt that they had not given fair and humane treatment to my constituents or when I felt that their actions were not in the best interests of our Nation. I therefore feel that it is only fair on my part to give praise to one of the highest ranking of our Government officers when he has performed an outstanding service to our country. It is for this reason that I would like to draw your attention to Secretary Freeman's New York presentation, so that his efforts on the part of our agricultural producers in this instance will not be overlooked:

NEW YORK CITY COUNCIL HEARS FREEMAN—FARMERS DEFENDED ON FOOD PRICES

Farm price increases have occasioned only a small part of the rise in food prices that we have witnessed recently. Permit me to illustrate my point by an analysis of price increases in certain of the more important food items to which attention has been called repeatedly in the press and on the air in New York City.

Most prominently mentioned have been milk and bread. According to newspaper accounts, the retail price for a one-pound loaf of white bread rose 3 cents from July, 1965 to July, 1966. In that same period, the farmer's return for the farm ingredients in that one-pound loaf—the wheat, skim milk, and other farm products—rose from 3.4 cents to 3.9 cents.

The price rise to the farmer was only half a cent—compared with a reported 3-cent rise in the retail cost. Clearly, 2.5 cents of the 3-cent rise in the loaf of bread was not caused by the farmer.

A little history emphasizes this point. In 1950 the farmer received about 2½ cents for the wheat that went into a one-pound loaf

of bread. That loaf retailed for about 14 cents then. Today the farmer receives 3.2 cents. But the price of bread around the Nation now averages 22 cents. The farmer is receiving less than a penny more for the wheat in a loaf of bread for which the retail price has increased 8 cents.

The situation for milk is comparable. Increases of 2 to 3 cents a quart have been reported in New York City at the retail level. During 1966 the average price paid to farmers for Class I fluid milk will increase between 40 and 45 cents per 100 pounds over last year. With 46 quarts of milk in each 100 pounds, a retail price increase of about 1 cent a quart would be justified. Anything more than this must be accounted for by other factors.

The question thus becomes, "What about the farm price increases for milk and bread?" Were farmers adequately rewarded before these increases occurred? Or are the increases justified? Are they fair? Are they in the national interest?

The period 1947 to 1949 is customarily used as a base for comparison of price changes in the various items we buy as consumers . . . and if we use it as a base to measure recent trends in farm prices, marketing charges, and retail food prices, some interesting facts emerge.

1. Farm prices in 1965 were 8 percent below the 1947–49 base period. In first-half 1966 they were 2 percent below, and last month they were 1½ percent below the base period.

2. Retail food prices in 1965 were 28 percent higher than in the 1947–49 period in June 1966, they were up 34 percent from the base period.

Last year the cost to consumers of farm-produced food totaled $77.6 billion, up $34.2 billion, or 79 percent, from the 1947–49 average of $43.4 billion. Of this $34.2 billion increase in the cost of farm-produced food, $27.6 billion, or 80.7 percent, was received by the marketing agencies, processors, and other components—in other words, the middleman. Only $6.6 billion, or 19.3 percent, trickled down to the farmer for the much larger volume of products he delivered to the distribution system.

The point these figures dramatize is that farm prices and farm income have lagged far behind the return to other sectors of our economy.

These objective facts establish, I think, beyond controversy that farm prices are not the major cause of increased food prices that we are now experiencing. On the contrary, farm prices lagged behind the increased prices of other items which make up the cost of living.

Today, the American consumer—despite recent price rises—is eating better food, at a lower real cost, than he ever has before. As the accompanying chart shows, the average family today spends about 18 percent of its after-tax pay on food—the lowest average in the world, and by far the lowest in our entire history. In 1947 this same family spend 26 percent of its take-home pay for food, and as recently as 1960 spent 20 percent. If the percent of take-home pay spent for food remained the same as it was in 1947, $35 billion would be added to the nation's food bill and about $750 a year to a family of four.

I respectfully submit that recent modest farm price increases have been too long delayed.

They are fair to the farmer.

They are needed by the farmer.

They are not unfair to the consumer.

In a broad sense, they are in the national interest.

The Late Aaron Benesch

EXTENSION OF REMARKS

OF

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 16, 1966

Mr. MINISH. Mr. Speaker, the passing of my good friend, Aaron Benesch, is a deep personal loss to me. His ability and integrity, coupled with his friendly nature and generous spirit, won Aaron the affection and esteem of all who knew him. He exemplified the highest standards of his profession during his distinguished career of more than 50 years as a newspaperman. He helped shape the career of many, many journalists who benefited from his acumen and skill, and his influence will long be felt in news circles.

I join his countless other friends in mourning the passing of this truly good man. To his lovely wife Eva and his daughter I extend my heartfelt sympathy.

U.S. Officials in Vietnam Will Be Guests at Coffee for House Members Wednesday at 3 p.m.

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 16, 1966

Mr. FRASER. Mr. Speaker, another look at the other war in Vietnam, with emphasis on health and agriculture, will be the topic at our foreign aid coffee this Wednesday, August 17.

We are fortunate to have two top men who are in Washington for a few days as our speakers:

Maj. Gen. James W. Humphreys, chief of the entire U.S. civilian health program in Vietnam; Carl F. Van Haeften, chief of all U.S. agricultural work in Vietnam.

Also present will be Donald MacDonald, the new chief of the U.S. AID mission in Vietnam who was appointed last week, and Rutherford Poats who heads up all of the Far East work of AID.

I hope that a great many Congressmen can attend.

Subject: Vietnam—Helping People. Place: Speaker's dining room. Date: Wednesday, August 17, 1966. Time: 3 p.m. Members only.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 17, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

These things have I spoken unto you, that my joy may remain in you and that your joy might be full.—John 15: 11.

O Thou whose light never fades, whose love never fails, and whose life never dies—as we open the windows of our hearts to Thee in prayer may we be filled with the glory of Thy presence, with the greatness of Thy spirit, and with the grandeur of Thy grace.

Grant unto us the royalty of an inward happiness and the serenity of mind which comes from living close to Thee. Daily renew in us the sense of joy and let Thy eternal spirit dwell in our minds and bodies, filling every corner of our hearts with light and grace, so that, bearing about with us the infection of a good courage, we may be diffusers of life and may meet all ills and accidents with a gallant and highhearted happiness giving Thee thanks always for all things: through Jesus Christ our Lord. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

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

S. 642. An act for the relief of Chung K. Won.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3105) entitled "An act to authorize certain construction at military installations, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. CANNON, Mr. BYRD of West Virginia, Mr. INOUYE, Mr. THURMOND, and Mr. TOWER to be the conferees on the part of the Senate.

SUBCOMMITTEE ON ACCOUNTS OF THE COMMITTEE ON HOUSE ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Accounts of the Committee on House Administration may be permitted to sit while the House is in session during general debate on tomorrow, August 18, 1966.

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

There was no objection.

SUBCOMMITTEE ON ELECTIONS OF THE COMMITTEE ON HOUSE ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Elections of the Committee on